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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)
Osage Water Company for Permission,)
Approval and Certificate of Convenience)
and Necessity Authorizing It to Construct,) Case No. SA-99-268
Own, Operate, Control, Manage and Maintain)
a Sewer System for the Public Located in)
Unincorporated Portions of Camden)
County, Missouri, Golden Glade Subdivision)

ORDER GRANTING INTERVENTION, SETTING PREHEARING AND FILING
PROPOSED PROCEDURAL SCHEDULE

On December 12, 1998, Osage Water Company (Applicant) filed an application with the Commission requesting issuance of a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain a sewer system for the public in unincorporated portions of Camden County, Missouri, known as Golden Glade Subdivision (proposed service area). The Commission issued an order and notice, directing interested parties to file applications to intervene no later than January 14, 1999.

The City of Osage Beach (City) filed a timely application to intervene on January 12, 1999. City states that it has an interest which is different from that of the general public and states three reasons why it should be allowed to intervene under (4 CSR 240-2.075(4)(A)):

(1) City has ordinances regarding the provision of water and sewer service within the corporate limits of City by entities other than City. City itself is the provider of water and sewer service

within the corporate limits of City, proposed service area is within a mile of the current City corporate limits, and City intends to annex proposed service area within a year.

(2) City believes that regional treatment plants rather than isolated systems will better serve the area.

(3) City believes that Applicant has demonstrated a lack of proper management in the past and that a principal of Applicant is also a developer of the proposed service area.

City also states that it is entitled to intervention (pursuant to 4 CSR 240-2.075(4)(B)) because it is a municipality.

City finally states that it is entitled to intervention (pursuant to 4 CSR 240-2.075(4)(C)) because it generally alleges that it has met the test of showing that granting the proposed intervention would serve the public interest.

The Commission has reviewed the application and finds that it is in substantial compliance with Commission rules regarding intervention and that the applicant has interests in this matter that are different from that of the general public. The Commission concludes that the request for intervention should be granted.

An early prehearing conference should be scheduled to afford the parties the opportunity to discuss, define, and possibly resolve the issues presented in this case, or at least to agree on a procedural schedule. The Commission will also set a date for the filing of a proposed procedural schedule in order to ensure that this case progresses.

IT IS THEREFORE ORDERED:

1. That the City of Osage Beach, Missouri is granted intervention in this case in accordance with 4 CSR 240-2.075(4).

2. That a prehearing conference will be held on March 1, 1999, at 10:00 a.m. at the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

3. That anyone with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing or hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

4. That the parties shall file a proposed procedural schedule no later than March 11, 1999.

5. That this order shall be effective on February 1, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 22nd day of January, 1999.