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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application)	
of Ozark Shores Water Company for)	
Permission, Approval, and a Certificate)	
of Public Convenience and Necessity)	
Authorizing It to Construct, Install,)	
Own, Operate, Control, Manage and)	<u>Case No. WA-99-99</u>
Maintain a Water and Sewer System for)	
the Public at Summerhaven Condominiums)	
in Miller County and a Water System)	
for the Public in the Perdue Development)	
in Camden County.)	

ORDER GRANTING INTERVENTION, SETTING A PREHEARING CONFERENCE
AND DIRECTING FILING OF PROCEDURAL SCHEDULE

On September 9, 1998, Ozark Shores Water Company (Ozark) filed an application with the Commission pursuant to Section 393.170, RSMo 1994, and 4 CSR-240-2.060 requesting the Commission grant it a certificate of convenience and necessity to provide (a) regulated metered water service in an area adjacent to its currently certificated area on Horseshoe Bend in Camden County and (b) regulated flat rate water service to a condominium complex known as Summerhaven Condominiums in Miller County.

On October 20, Summerhaven Condominium Owners Association (the Association) filed a Motion to Intervene. The Association states that it is a not-for-profit corporation, presently being served by the water and sewer facilities for which Ozark seeks certification. On November 3, the Commission determined that the Association's application did not comply with the Commission's rules, and denied intervention.

On November 13, the Association filed an Amended Motion to Intervene. The Commission finds that the application is in substantial compliance with the Commission's rules regarding intervention. The Commission also finds that the applicant has an interest in this matter different from that of the general public. Therefore, the application to intervene will be granted.

On November 23, Waterserv Inc. (Waterserv) filed an Application to Intervene Out of Time. Waterserv states that it owns and operates the water and sewer facilities that serve the area (Summerhaven) for which Ozark seeks certification. Waterserv states that Ozark has agreed to acquire Waterserv's facilities if the Commission grants Ozark a certificate in this case, and that it supports Ozark's application. The Commission has reviewed the application to intervene and notes that no party has filed an objection. The Commission also notes, as Waterserv points out in its application, that Waterserv is the respondent in a complaint before the Commission brought by the Association, and that that complaint has been stayed pending the outcome of this case. The Commission finds that the application is in substantial compliance with the Commission's rules regarding intervention. The Commission also finds that the applicant has an interest in this matter different from that of the general public. Therefore, the application to intervene will be granted.

An early prehearing conference will be scheduled to afford the parties the opportunity to discuss, define, and possibly resolve the

issues presented in this case, and to discuss a procedural schedule. The Commission will also set a date for the filing of a proposed schedule in order to ensure that this case progresses.

IT IS THEREFORE ORDERED:

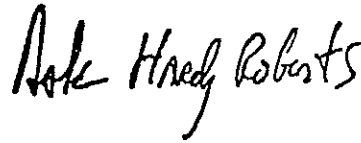
1. That Summerhaven Condominium Owners Association and Waterserv Inc. are granted intervention in this case in accordance with 4 CSR 240-2.075(4).

2. That a prehearing conference shall be held on January 20, 1999, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's office on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has 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 conference at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

3. That the parties shall file a proposed procedural schedule no later than February 2, 1999. The procedural schedule shall include dates for the filing of testimony and for a hearing.

4. That this order shall become effective on January 8, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Mills, Deputy Chief 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 29th day of December, 1998.

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COMMISSION COUNCIL
PUBLIC SERVICE COMMISSION