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ORDER AND NOTICE

On October 6, 1997, Silverleaf Resorts, Inc. (Silverleaf) filed an Application requesting that the Commission: approve the sale and transfer of certain assets¹ from Silverleaf to Taney County Regional Sewer District; authorize Silverleaf to discontinue providing sewer service in Holiday Hills as of the date of the sale and transfer of its franchise, works and system to the District; cancel the certificate of public convenience and necessity for sewer service issued to Silverleaf in Case No. WA-94-60; cancel the sewer tariff filed by Silverleaf to serve the Holiday Hills area; and authorize Silverleaf to do and perform other acts as may be necessary to fully effectuate the transaction.

Silverleaf states that the District, in conjunction with Taney County, is constructing wastewater collection facilities in Taney County, and the sale of Silverleaf's wastewater treatment and collection system to the District should result in economies of scale and more efficient service

¹ Specifically, assets owned by Silverleaf associated with sanitary sewage collection, pumping, treatment and associated easements in Holiday Hills Resort located in Taney County, Missouri.

to the residents of the area. Silverleaf states that the proposed transfer will have no impact on the tax revenues of the political subdivisions in which Silverleaf's facilities are located.

The Commission determines that notice of the proposed sale should be given, either by direct mail or by billing insert, to Silverleaf's customers. The direct mailing or billing insert should provide, at a minimum, the following information: (1) identity of the parties to the contract; (2) a general statement of what property is being sold; (3) a general statement of the anticipated impact on rates; and (4) a statement referring any questions or concerns to the Office of the Public Counsel, Post Office Box 7800, Jefferson City, Missouri 65102.

The Commission further determines that proper parties should be given an opportunity to intervene in this case. Applications to intervene should be submitted to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, on or before November 19, 1997. Copies of the application to intervene should be sent to:

Robert E. Mead
Chief Executive Officer
Silverleaf Resorts, Inc.
1221 Riverbend Drive, Suite 120
Dallas, Texas 75247

Howard Kitchen
Holiday Hills Resort
620 E. Rockford
Branson, Missouri 65616

James M. Fischer
Attorney at Law
101 West McCarty
Suite 215
Jefferson City, Missouri 65101

The Records Department of the Commission shall mail a copy of this order to the County Commission of Taney County, Missouri. In

addition, the Information Officer of the Commission shall send a notice of this application to each newspaper located in Taney County, Missouri, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to all members of the General Assembly representing Taney County.

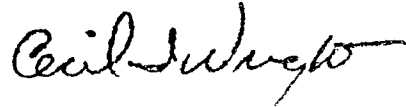
The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered such an opportunity. If no proper party or governmental entity files an application to intervene and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the applicant may submit evidence in support of the application by verified statement. State ex Rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Records Department of the Missouri Public Service Commission is ordered to provide notice as set out herein.
2. That the Information Officer of the Missouri Public Service Commission is ordered to provide notice as set out herein.
3. That Silverleaf Resorts, Inc. is ordered to provide notice as set out herein.
4. That any proper party wishing to intervene in this matter shall file an application to do so no later than November 19, 1997. Such applications shall be filed with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102.

5. That this order shall become effective on the date hereof.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Thomas H. Luckenbill, 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 20th day of October, 1997.