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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Timber Creek Sewer Company for permission,)
approval and Certificate of Convenience)
and Necessity Authorizing It to Construct,) Case No. SA-99-202
Own, Operate, Control, Manage and Maintain)
Maintain a Sewer System for the Public)
Located in an Unincorporated Area in)
Platte County, Missouri)

ORDER AND NOTICE

On November 5, 1998, Timber Creek Sewer 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 an unincorporated area in Platte County, Missouri, in an area west of Interstate 435, referred to as proposed service area. A map of the proposed area is attached to the application, together with a metes and bounds description.

Applicant is a Missouri corporation, with its principal office and place of business located at 1820 C Prairie View Road, Post Office Box 511, Platte City, Missouri 64079. Applicant has filed a feasibility study for the proposed sewer operation and stated in its application that there is no other sewer service or governmental bodies operating, providing, or rendering service in the proposed service area.

Applicant has stated that there are twenty current residents or landowners in the proposed area. A list of the names and addresses of landowners in the proposed service areas is attached to the application.

Proper parties should be given the opportunity to intervene. The Commission has determined that a copy of this order shall be sent to the landowners. In addition, the information officer of the Commission will send a notice of this application to each newspaper located in Platte County, Missouri, as listed in the newspaper directory of the current Official Manual of the State of Missouri, and to all members of the Missouri General Assembly representing Platte County. Further, the Records Department of the Commission shall serve a copy of this order on the County Commissioners of Platte County.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention 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 its 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 serve notice as set out herein.
2. That the information officer of the Missouri Public Service Commission is ordered to serve notice as set out herein.
3. That any proper person wishing to intervene in this matter shall file an application to do so no later than December 18, 1998. Such applications shall be filed with:

Secretary, Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and a copy served on:

Jeremiah D. Finnegan
Finnegan, Conrad & Peterson, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111

and:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

4. That this order shall become effective on November 18, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Anji Gandhi, 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 18th day of November, 1998.