

TABLE ROCK LAKE WATER QUALITY, INC.

P.O. Box 606
Kimberling City, MO 65686

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Phone 417-739-4100

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FILED²

MAR 23 2010

Missouri Public
Service Commission

March 18, 2010

Missouri Public Service Commission
Mr. Steven C. Reed, Secretary
P.O. Box 360
200 Madison Street
Jefferson City, MO 65102-0360

Dear Mr. Reed,

I am writing you in reference to **File No. SM-2010-0241** (copy attached). Bear Creek Water and Sewer, LLC is requesting that Table Rock Lake Community Service take over ownership and operation of the Bear Creek Sewer Treatment Plant. Mr. Danny Brown of Bear Creek Water and Sewer, LLC hired Mr. David Appleby, Attorney at Law to complete this transaction.

It has come to my attention that the documents filed with the PSC on behalf of Bear Creek Water and Sewer, LLC have problems and my attempts to contact Mr. David Appleby to correct these problems have been unsuccessful to date.

Table Rock Lake Community Service, Inc. has always intended to immediately transfer ownership of the Bear Creek Sewer System to Ozarks Clean Water Company, a nonprofit sewer company organized under section 393 of the Missouri Revised Statutes and as such exempt from PSC regulation.

This exact same transaction was accomplished with Savannah Heights Industrial Treatment, Inc. in December of 2007. I have attached that document (**Case No. SO-2008-0094**) as a reference.

The request from Bear Creek Water and Sewer, LLC should have been to **Cancel their Certificate of Convenience and Necessity and to Cancel Associated Tariff** as was done with Savannah. Also, Bear Creek should have requested the Commission's approval "of the subsequent planned transaction whereby Table Rock Lake Community Service would promptly transfer the assets of Bear Creek Sewer System to Ozarks Clean Water Company, which would actually own and operate the sewer system".

This transaction cannot be accomplished unless these changes are made. I have been in contact with Mr. Danny Brown of Bear Creek Water and Sewer, LLC and he agrees these changes are necessary. Until such time as Mr. David Appleby or another authorized representative of Bear Creek Water and Sewer, LLC makes the appropriate changes, Table Rock Lake Community Service, Inc. cannot accept the transfer of the sewer system currently owned by Bear Creek Water and Sewer, LLC.

Please feel free to contact me at any time.

Sincerely,



David Casaletto
Executive Director

Copies mailed to:

General Counsel's Office
P.O. Box 360
200 Madison St. Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison St., Suite 650
Jefferson City, MO 65102

Bear Creek Water & Sewer, LLC
Mr. David Appleby
119 N. Second St.
P.O. Box 158
Ozark, MO 65721

Bear Creek Water & Sewer, LLC
Mr. Danny Brown
4279 Hwy 160
Walnut Shade, MO 65771

In the Matter of Application of Bear Creek Water and Sewer, LLC to Sell its Sewer System in Taney County, Missouri to Table Rock Lake Community Service, Inc., In Taney County, Missouri.)
)
) **File No. SM-2010-0241**
)

¹ All calendar references are to 2010 unless otherwise noted.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name.

Steven C. Reed
Secretary

(SEAL)

Dated at Jefferson City, Missouri,
on this 16th day of March, 2010.

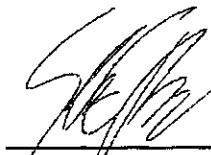
Pridgin, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 16th day of March 2010.

A handwritten signature in black ink, appearing to read 'Steven C. Reed', is written over a horizontal line.

Steven C. Reed
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 16, 2010

File No. SM-2010-0241

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
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Lewis R. Mills, Jr.
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Jefferson City, MO 65102

Bear Creek Water & Sewer, LLC
David Appleby
119 North Second Street
P.O. Box 158
Ozark, MO 65721

**Table Rock Lake Community
Service, Inc.**
Legal Department
P.O. Box 606
2 Kisse Avenue
Kimberling City, MO 65686

Enclosed find a certified copy of an ORDER in the above-numbered matter(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Reed', written over a horizontal line.

**Steven C. Reed
Secretary**

Enclosed for reference.

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Savannah)
Heights Industrial Treatment, Inc. for Authority to)
Transfer Certain Assets to Table Rock Lake) **Case No. SO-2008-0094**
Community Service, Inc. d/b/a Table Rock Lake) **Tariff No. JS-2002-0071**
Water Quality, Inc. and, in Connection)
Therewith, Certain Other Related Transactions)

**ORDER CANCELING CERTIFICATE OF CONVENIENCE AND
NECESSITY AND CANCELING ASSOCIATED TARIFF**

Issue Date: December 19, 2007

Effective Date: December 19, 2007

On October 1, 2007,¹ Savannah Heights Industrial Treatment, Inc. ("Savannah Heights") filed a verified application with the Commission requesting authority to sell all of its sewer utility assets and facilities to Table Rock Lake Community Service, Inc. d/b/a Table Rock Lake Water Quality, Inc. ("TRLCS"). Savannah Heights further sought the Commission's approval of a subsequent planned transaction whereby TRLCS would promptly transfer those assets to Ozarks Clean Water Company ("OCWC"), which would then actually own and operate the sewer system. On November 30, Staff recommended that Savannah Heights' application be approved and that its existing tariff and certificate of convenience and necessity be cancelled once the transfer to OCWC was accomplished.

On December 6, after considering the verified application of Savannah Heights along with the recommendation of Staff and accompanying verified memorandum, the

¹ Unless otherwise specified, all dates throughout this order refer to the year 2007.

Commission granted the application. The Commission's order also required Savannah Heights to issue an appropriate pre-sale written notice to all customers in its service area informing them of the impending changes in ownership and operation. The order further required Savannah Heights to file a notice in this case once the sale and asset transfer transactions were completed, and then to file a motion seeking cancellation of its existing tariff and certificate of convenience and necessity.

On December 14, Savannah Heights filed a pleading indicating that the required pre-sale notice had been mailed to all its customers on December 11, to which was attached a copy of the notice itself as directed by the Commission in its December 6 order. On December 18, Savannah Heights timely moved the Commission to issue an order canceling its certificate of convenience and necessity, as well as the associated sewer tariff, explaining that the sale and transfer were completed on December 17.

Since all the prerequisites set forth in the Commission's order of December 6 have now been met, the Commission will grant Savannah Heights' motion, cancel both its certificate and the tariff associated with that certificate, and close this case.

IT IS ORDERED THAT:

1. The certificate of convenience and necessity granted to Savannah Heights Industrial Treatment, Inc. in Case No. SA-98-294 is hereby canceled, as is the tariff associated with that certificate (Tariff No. JS-2002-0071).
2. This order shall become effective on December 19, 2007.

3. This case may be closed on December 20, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(SEAL)

Benjamin H. Lane, Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 19th day of December, 2007.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 19th of December, 2007.**



**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

December 19, 2007

Case No. SO-2008-0094

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

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P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Ozarks Clean Water Company
Legal Department
2 Kisse Avenue
PO Box 606
Kimberling City, MO 65686

Savannah Heights Industrial
Treatment, Inc.
Dean Cooper
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102

Table Rock Lake Water Quality, Inc.
Legal Department
2 Kisse Avenue
P.O. 606
Kimberling City, MO 65686

Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Colleen M. Dale
Secretary