

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of KMB Utility)	
Corporation to Transfer the Assets of Cape Rock)	<u>Case No. SO-2009-0174</u>
Village Sewer System to Triple C Development,)	
LLC)	

ORDER PROVIDING NOTICE, ESTABLISHING INTERVENTION

DEADLINE, AND DIRECTING RESPONSE

Issue Date: November 18, 2008

Effective Date: November 18, 2008

On November 17, 2008, KMB Utility Corporation and Triple C Development LLC filed a joint application asking the Commission to approve the transfer of the assets of Cape Rock Village Sewer System from KMB Utility to Triple C. The sewer system that the applicants intend to transfer serves the Cape Rock Village and Tanglewood Subdivision areas of Cape Girardeau County, Missouri.

Before considering the joint application, the Commission will provide notice to the public, and will establish an intervention deadline. KMB Utility and Triple C have asked the Commission to act on their application by December 15, 2008. Therefore, the Commission will establish a date for its Staff and other interested parties to offer recommendations regarding the joint application.

THE COMMISSION ORDERS THAT:

1. The Commission's Public Information Office shall make notice of this order available to the media serving Cape Girardeau County and to the members of the General Assembly representing Cape Girardeau County.

2. Any proper person wishing to intervene in this matter shall file an application to do so no later than December 5, 2008. Such applications shall be filed with:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

with a copy served on:

Stephen R. Southard
Layton & Southard, LLC
24 Silver Springs Rd.
P.O. Box 1238
Cape Girardeau, Missouri 63702

Attorney for KMB Utility Corporation;

Jonah T. (Ted) Yates
OSBURN, HINE, KUNTZE, YATES & MURPHY, L.L.C.
3071 Lexington Avenue
Cape Girardeau, Missouri 63701

Attorney for Triple C. Development LLC;

and:

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102.

3. The Commission's Staff shall, and any other party may, file a recommendation regarding the joint application no later than December 9, 2008.

4. If Staff, or any other party believes it needs more time to file its recommendation, it may file an appropriate motion requesting additional time.

5. This order shall become effective immediately upon issuance.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of November, 2008.