

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

In the Matter of Missouri-American Water )  
Company for a Certificate of Convenience )  
and Necessity Authorizing it to Install, ) Case No. SA-2015-0065  
Own, Acquire, Construct, Operate, Control, )  
Manage and Maintain a Sewer System )  
in Benton County, Missouri. )

**MISSOURI DEPARTMENT OF NATURAL RESOURCES' RESPONSE  
IN OPPOSITION TO MOTION FOR OUT OF TIME INTERVENTION**

The Missouri Department of Natural Resources (“Department”) by and through its undersigned counsel, the Missouri Attorney General’s Office, respectfully requests the Commission to deny the *Motion for Out of Time Intervention*. In support of the Department’s *Response in Opposition*, the Department states as follows:

1. On September 8, 2014, Missouri-American Water Company (“MAWC”) filed its *Application* for approval from the Public Service Commission to purchase, manage, and run the wastewater treatment system and other assets of the Benton County Sewer District No. 1.
2. On September 10, 2014, the Commission issued its *Order Directing Notice and Setting Date for Submission of Intervention Requests*, requiring motions to intervene to be filed by October 1, 2014.
3. On November 16, 2014, George M. Hall filed his *Motion for Out Of Time Intervention and, if Necessary, Original Formal Compliant or, in the Alternative, Motion for Leave to File an Amicus Curiae Brief* (“Motion”).

4. On November 17, 2014, the Staff filed a *Response in Opposition to Motion to Intervene Out-of-Time*.

5. The Department fully and completely agrees with, and incorporates by reference, the reasoning stated in *Staff's Response in Opposition*.

6. Further arguing, insofar as the *Motion* stated interests, those interests are irrelevant to the question of whether to grant MAWC's *Application*.

7. Assuming *arguendo* that the *Motion* identifies interests different from the general public, the *Motion* fails to state how those interests would be adversely affected by a final order arising from the case. 4 CSR 240-2.075(3)(A).

8. Further assuming *arguendo* that the interests are different from the public, the motion fails to provide how granting intervention would serve the public interest, under 4 CSR 240-2.075(3)(B).

WHEREFORE, for the aforementioned reasons, and the reasons stated within the Staff's *Response in Opposition*, the Department respectfully requests that the Commission deny the *Motion for Out of Time Intervention and, if Necessary, Original Formal Compliant or, in the Alternative, Motion for Leave to File an Amicus Curiae Brief*.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been served electronically, or via electronic mail to all the parties of record this 19th day of November, 2014.

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