

**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’
APPLICATION TO INTERVENE**

The Missouri Department of Natural Resources (“Department”) by and through its undersigned counsel, the Missouri Attorney General’s Office, and pursuant to the Public Service Commission Regulation 4 CSR 240-2.075, respectfully requests that the Commission issue its order granting the Department’s Application to Intervene in the above named matter. In support of its Application, the Department states as follows:

1. On September 8, 2014, Missouri-American Water Company (“MAWC”) filed its Application and Contingent Request for Waiver to obtain a Certificate of Convenience and Necessity to “install own, acquire, construct, operate, control, manage and maintain a water and sewer system for the public in an area of Benton County, Missouri currently the boundary of Benton County Sewer District No. 1.” MAWC Application, p 3, ¶ 6.

2. On September 10, 2014, the Commission issued its Order directing notice, setting deadline for applications to intervene and directing

staff to file a status update. The Order provided that applications to intervene should be submitted by no later than October 1, 2014.

3. The Department is a state agency created under § 640.010 RSMo, to administer the programs relating to environmental control and conservation and to manage the natural resources of the state of Missouri. Specifically, the Department's Water Protection Program, oversees the Missouri Clean Water Law ("MCWL") §§ 644.006 – 644.150 RSMo.

4. Because the Department is tasked with protecting public health and the environment, the Department's interest is different than that of the general public. The Department's review and participation in this matter is intended to ensure that the wastewater treatment system ("Facility") of Benton County Sewer District No. 1 ("District") can be operated in manner compliant with MCWL. The Facility is in need of substantial and costly updates and repairs; and, in its current form, the District has been unable to sustain itself financially in a manner to ensure continued, compliant operation of the Facility. Should the acquisition not occur, the District not find another suitable buyer, and the Facility lapse into disrepair, the Department anticipates significant violations may result, including pollution and impacts to local water quality.

5. The Department supports the acquisition of the District by MAWC for the aforementioned reasons.

6. Communications, correspondence, orders and decision in this matter should be addressed to:

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WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

CHRIS KOSTER
Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served electronically on the following counsel of record this 24th day of September, 2014.

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