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May 18, 2006

Cheryl Voss Regulatory Law Judge 200 Madison Street Jefferson City, Missouri 65102

Sent Via Facsimile and U.S. Mail

RE: Statement of Non-Compliance in Regard to Taneycomo Highlands, Inc. (RV Village)

Dear Judge Voss,

Per your request, I ordered a review of our files in regard to Taneycomo Highlands, Inc. Our files indicate that the Taneycomo Highlands RV Village, owned by Taneycomo Highlands, Inc., has failed to submit a quarterly Discharge Monitoring Report since August 2004. Thus, the permit holder has been in noncompliance, in regard to reporting, for approximately seven straight quarters. The department is unaware whether any maximum limits have been exceeded during this time. As a result of this situation we have initiated an enforcement action against the permit holder.

Also, please find attached copies of the most recent Notice of Violations issued to Taneycomo Highlands, Inc.

If you have any questions or if I may be of further assistance please feel free to contact me at (573) 522-9911.

Sincerely,

Richard W. Moore, Missouri Bar #52835

Legal Counsel

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Small Company Rate Increase)	Case No. SR-2006-0397
Request of Taneycomo Highlands, Inc.)	Tariff No. YS-2006-0749

MISSOURI DEPARTMENT OF NATURAL RESOURCES' STATEMENT OF NON-COMPLIANCE FOR TANEYCOMO HIGHLANDS, INC.

The Department finds the Taneycomo Highlands, Inc. to be in non-compliance with department regulations. Our files indicate that the Taneycomo Highlands RV Village, owned by Taneycomo Highlands, Inc., has failed to submit a quarterly Discharge Monitoring Report since August 2004. Thus, the permit holder has been in noncompliance, in regard to reporting, for approximately seven straight quarters. The department is unaware whether any maximum limits have been exceeded during this time.

Respectfully submitted,

Richard W. Moore, Missouri Bar #52835

Legal Counsel

Missouri Department of Natural Resources

(573) 522-9911

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this pleading was sent via facsimile and mailed on May 18, 2006 by U.S. Mail to the following:

Cheryl Voss, Regulatory Law Judge 200 Madison Street Jefferson City, Missouri 65102 Fax: (573) 526-6010

Dana K. Joyce P.O. Box 360 200 Madison Street, Suite 800 Jefferson City, Missouri 65102 Fax: (573) 526-6969

Lewis R. Mills, Jr. P.O. Box 2230 200 Madison Street, Suite 650 Jefferson City, Missouri 65102 Fax: (573) 751-5562

Taneycomo Highlands, Inc. 184 Manarch Lane Branson, MO 65616

Richard W. Moore, Missouri Bar #52835

Legal Counsel

Missouri Department of Natural Resources

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VIOLATION NUMBER

NOTICE OF VIOLATION		LEFTERSON CITY MO BETOZ 7529		
DATE AND TIME ISSUED August 11, 2003	□AM	. []	PM	() () () () () () () () () ()
BOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION) Tensycomo Highlands			**************************************	
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NEDES permit number MO0117811	· · · · · · · · · · · · · · · · · · ·	~_~ ~~~		
losated in NE 1/4, NE 1/4, SW 1/4, SEC 22, TZ3N, R2	W in Taney County			· · ·
USGS (11010003-030003) Lake Temprosmo				
P. O. Box 187	Eagle Rock	MO	ZIP CODE 65641	ξ φ. •
NAME OF OWNER OR MANAGER	TITLE OF OWNER OR MANAGER	Owner		*
Taneycomo Highlanda, Inc.		OMPE		,,
LAW, REGULATION OR PERMIT VIOLATED				
Misserut Clean Water Law Section 644,076.1 RSMo.				
Missouri Class Water Commission Regulation 10 CSI	L20-7.015(9)(A)			 -
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NATURE OF VIOLATION	OAYE(S):		TIME(S):	
Permittee failed to comply with effluent limits contain	ed in Part "A" of National Pollula	st Discharge Billio	ination System (NPDE	S)
permit number MO0117811. Permittee exceeded the	affluent limitations for Total Phon	phorous for the 2n	d quarter, April throug	h
Since 2003				
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NPDES permit number MO0117811					
NE 1/4, NE 1/4, SW 1/4, SEC 22, T23N, R21W in	Taney County				,
Lake Taneycomo (L2) (1101010003-030003)					
IAILING ADDRESS	CITY		STATE	ZIP CODE	,
184 Monarch Lane) I	Згацвод	MO	65616	,
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Taneycomo Highlands, Inc.			Owner		;·
AW, REGULATION OR PERMIT VIOLATED Missouri Clean Water Law Sections 644.051.1(3)	and 644 076 1				
Missouri Clean Water Commission Regulation 10					 ;
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O 760-1470 (2-02) DISTRIBUTION: WHITE	- SOURCE CANARY - CENT	VALOFFICE PHAN - RECO	onal office		



MISSOURI DEPARTMENT OF NATURAL RESOURCES **NOTICE OF VIOLATION**

P.O. BOX 176 JETTERBON CITY NO 85102 VIOLATION NUMBER

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neycomo Highlands, Inc.	Owner				•
REGULATION OR PERMIT VIOLATED					7
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mittee failed to comply with effluent limitaber MO-0117811. Permittee exceeded	July 9, 2002	" of the Missou	ri State Oq	perating Perm	
mittee failed to comply with effluent liminates MO-0117811. Permittee exceeded by 9, 2002.	July 9, 2002 its contained in Part "A the daily maximum eff	" of the Missou	ri State Op	perating Perm	
mittee failed to comply with effluent liminates MO-0117811. Permittee exceeded by 9, 2002.	July 9, 2002 its contained in Part "A the daily maximum eff Signature	" of the Missouriant limitation (PERSON ISSURIG NO.	ri State Op	perating Perm	
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emittee failed to comply with effluent limitaber MO-0117811. Permittee exceeded by 9, 2002. WATURE (PERSON RECEIVING NOTICE)	July 9, 2002 its contained in Part "A the daily maximum eff Wally Me Tifle or Po	" of the Missour Inent limitation	ri State Op for Total	perating Perm	

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NOTICE OF VIOLATION	P.O. BOX BOX 178 JEFFERSON CITY, MO 48102	444	
DATE AND TIME ISSUED			A.M.
May 9, 2000	•		RM,
Taneycomo Highlands RV Village			
MO-0117811			· · ·
Taney County			
MAILING ADDRESS	CITY	STATE	ZIP CODE
430 N. Meteor	Springfield	MO	65802
NAME OF CHINER OF MANAGER	TITUE OF OWNER OR MANAGER		
Teneycomo Highlands, Inc.	Owner	** <u>**</u>	
LAW, REGULATION ON PERMIT VIOLATED			
Missouri Clean Water Law Sections 644,051.1(3) and 64	4.076.1, RSMo.		
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On April 6, 2000, failed to comply with the effluent limit	DATE(S): Is contained in Part "A" of Missou	тив(s): ti State Oner	ating Permit
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ROMATURE (PERSON RECEIVING NOTICE)	Seth A. Coggin, E.I.T. Environmental Engineer		
TILE ON POSITION	Southwest Regional Office	Li Sent Co	

NAME: DED ADMIN