

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
Timber Creek Sewer Company for a) **File No. SA-2010-0063**
Certificate of Convenience and Necessity)

NOTICE OF APPLICATION, AND ORDER SETTING DEADLINE FOR INTERVENTION AND DIRECTING STAFF TO FILE RECOMMENDATION

Issue Date: August 24, 2009

Effective Date: August 24, 2009

The Commission is directing its staff to file a recommendation on the application of Timber Creek Sewer Company, ("the company") described in the title of this action ("application"), setting a deadline for motions to intervene, and giving notice of the application.

The company filed the application on August 24, 2009, seeking the Commission's permission and approval to construct sewer facilities and provide sewer service. Legal descriptions ("proposed service area") locating such proposed construction and service appear in the application's appendix 2. The names of ten persons residing or owning land in the proposed service area appears in appendix 4.

The statutory requirement of a "due hearing"¹ allows the Commission to grant an unopposed application without conducting a hearing.²

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall serve this notice and order on the:
 - a. Commissioners of the Platte County Commission, and

¹ Section 393.170.3, RSMo 2000.

² *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

b. Persons listed in appendix 4 of the application.

2. The Commission's information officer shall make this notice and order available to the:

a. members of the Missouri General Assembly whose districts include the proposed service area described in the body of this order, and

b. media serving the proposed service area.

3. Any motion for intervention is due no later than September 23, 2009. Any person filing such a motion shall send the motion to:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

or use the Commission's electronic filing and information service.

4. Staff shall file its recommendation as to the application of Timber Creek Sewer Company that is the subject of this action no later than October 7, 2009.

5. This order shall become effective immediately upon issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 24th day of August 2009.