

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

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

**ORDER ESTABLISHING TIME TO RESPOND TO STAFF'S  
RECOMMENDATION**

Issue Date: October 23, 2015

Effective Date: October 23, 2015

Missouri-American Water Company filed an application on September 8, 2014, requesting a certificate of convenience and necessity to purchase and operate a sewer system currently operated as Benton County Sewer District No. 1. The Missouri Department of Natural Resources was allowed to intervene. The Commission's Staff filed a recommendation on November 17, 2014, advising the Commission to grant the requested certificate, subject to certain conditions. Thereafter, George M. Hall, an individual living within the boundaries of the Sewer District, applied to intervene out of time. The Commission denied Mr. Hall's application to intervene, but he was allowed to file an *amicus curiae* brief. Mr. Hall appealed the decision to deny his intervention to the Missouri Court of Appeals, and this action was stayed while that appeal was pending.

On September 22, 2015, the Court of Appeals issued an opinion dismissing Mr. Hall's appeal as untimely because the Commission's order denying intervention is not final and appealable. The court's order became final when its mandate issued on October 14, 2015.

With Mr. Hall's appeal having been dismissed, the Commission once again has jurisdiction to move forward with this case. But before doing so, the Commission will establish a time for the parties to respond to Staff's recommendation regarding Missouri-American's application.

**THE COMMISSION ORDERS THAT:**

1. Any party wishing to respond to Staff's recommendation regarding Missouri-American's application for a certificate of convenience and necessity may do so no later than November 3, 2015.
2. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

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

Dated at Jefferson City, Missouri,  
on this 23<sup>rd</sup> day of October, 2015.