

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

In the Matter of Carl R. Mills' Request)
to Maintain Water System Rate) File No. WR-2021-0177
)

APPLICATION TO INTERVENE

COMES NOW, Derald Morgan, ("Intervenor"), and pursuant to the Commission's public notice filed January 11, 2021, and 20 CSR 4240-2.075, seeks to intervene in this matter. In support of his Application, Intervenor states as follows:

1. Intervenor Derald Morgan is a natural person residing in the Carriage Oaks Subdivision in Stone County, Missouri.

2. Correspondence, communications, orders, and decisions may be sent to Intervenor's attorney at the following address:

Karl Finkenbinder
Schenewerk & Finkenbinder, Attorneys at Law, LLC
100 Prairie Dunes Dr., Ste. 200
Branson, MO 65616
Phone: 417-334-7922
Fax: 417-334-7923
e-mail: karl@sfallwfirm.com

3. Intervenor seeks to intervene in this case because he has an interest in the water services provided by Carl R. Mills in that he receives water services provided by Carl R. Mills.

4. Because Intervenor receives water services from Carl R. Mills, he has an interest in this matter that is different from those of the general public and could be adversely affected by the Commission's order in this case.

5. Intervenor seeks to intervene in order to oppose the proposed rates submitted by Carl R. Mills and to seek measures to correct the quality and safety of water services provided by Carl R. Mills.

6. The proposed rates submitted by Carl R. Mills are unreasonable and Intervenor seeks an opportunity to present evidence demonstrating why the proposed rates should not be approved.

7. The proposed rates submitted seeks to reauthorize a flat service rate, and Intervenor seeks an opportunity to support a volumetric rate pricing structure for water utility service.

8. On January 13, 2021, Intervenor filed a formal complaint regarding Carl R. Mills compliance with the Commission's previous Order in WA-2018-0370, and in said motion requested joinder of its formal complaint with this matter, and the response period for such request is still pending.

9. Further, in said complaint, Intervenor submitted an affidavit testifying to his personal knowledge that the basis of the rates adopted in WA-2018-0370, being a contract with third-party servicer, Ozark Clean Water, has not been in place since at least June 2019 and is not currently in place. Consequently, in the absence of the pre-existing basis for the rates adopted in WA-2018-0370, Carl R. Mills' request to reauthorize its current rates is unsubstantiated.

10. Additionally, the water services provided by the Carl R. Mills has been inadequate and potentially unsafe and Intervenor requests an opportunity to present evidence demonstrating the inadequacy of the system.

11. It will serve the public interest for the Public Service Commission to grant this application to intervene.

12. Intervenor opposes the specific rates sought by Carl R. Mills application.

WHEREFORE, Intervenor Derald Morgan request that the Public Service Commission grant their application to intervene.

Respectfully submitted,

SCHENEWERK & FINKENBINDER,
ATTORNEYS AT LAW, LLC

By: /s/ Karl Finkenbinder
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COUNSEL FOR INTERVENOR

CERTIFICATE OF SERVICE

The below signed counsel hereby certifies that a true and accurate copy of the foregoing was submitted through the Missouri Public Service Commission's E-Filing System, which generates notices to interested parties, and copies were also sent to the following to the following email addresses:

Missouri Public Service Commission [staffcounsel@psc.mo.gov];
Office of the Public Counsel [opcservice@opc.mo.gov];

The above was also served via U.S. Mail, postage prepaid to the following interested parties on February 10, 2021:

Carl Mills Water Service
Legal Department
209 Falling Leaf Court
Reeds Spring, MO 65737

Missouri Department of Natural Resources
Legal Department
PO Box 176
Jefferson City, MO 65102-0176

/s/ Karl Finkenbinder

Karl Finkenbinder