Exhibit 1

See Attached.

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Carl R. Mills Trust)	
Certificate of Convenience and Necessity)	
Authorizing it to Install, Own, Acquire,)	File No.WA-2018-0370
Construct, Operate, Control, Manage)	
And Maintain Water Systems in Carriage)	
Oaks Estates		

AMENDED APPLICATION FOR CONVENIENCE AND NECESSITY

COMES NOW Mr. Carl R. Mills ("**Mills**") pursuant to Sections 393.140 and 393.170, RSMo and 4 CSR 240-2.060, 4 CSR 240-3.305, 4 CSR 240.3-600 and 4 CSR 240-4.020(2)(B), and for its Amended Application For Convenience and Necessity states as follows to the Missouri Public Service Commission ("**Commission**").

BACKGROUND

- 1. Pursuant to the order issued in the case of *Derald Morgan et al. v. Carl Richard Mills et al.*, WC-2017-0037, Mills desires to obtain a certificate of convenience and necessary to install, own, acquire, construct, operate, control, manage and maintain the water system in Carriage Oaks Estates (as defined herein).
- 2. Mr. Mills, through one of his wholly owned entities, is the developer of Carriage Oaks Estates. Pursuant to the Commission's order in *Morgan*, Mills is the current owner of the water system which services Carriage Oaks Estates. Additionally, pursuant to the order in *Morgan*, the Commission determined that Mills operates a water company through its ownership of the water system servicing Carriage Oaks Estates.
- 3. The previous filed Application for Convenience and Necessity wrongfully listed Mills' personal trust, The Carl R. Mills Trust, as the original owner of the water system.
 - 4. Communications regarding this Application should be addressed to Mills' legal counsel.

- 5. Mills has no pending actions, final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates.
 - 6. Mills has no annual report or assessment fees which are overdue.

CERTIFICATE

- 7. Mills request permission, approval and Certificates of Convenience and Necessity to install, own, acquire, construct, operate, control, manage and maintain water services for the public in and around the subdivision located in Stone County, Missouri by the name of Carriage Oaks Estates, as more particularly described on **Appendix A** ("Carriage Oaks Estates").
- 8. Attached hereto and marked as **Appendix B** is a list of ten residents or land owners within Carriage Oaks Estates. It has been identified as Highly Confidential pursuant to the Commission's rules because it contains customer-specific information.
- 9. There are no other utility companies which provide water services to Carriage Oaks Estates. Additionally, pursuant to the Easements, Covenants and Restrictions governing Carriage Oaks Estates, homeowners must receive water services from the water system owned by Mills.
 - 10. Attached hereto as **Appendix C** is a plat drawing of Carriage Oaks Estates.
- 11. The water system owned by Mills and servicing Carriage Oaks Estates was previously constructed in or around the year 2000. Attached hereto as **Appendix D** is the approximate cost of construction of the water system, including the upgrades to such system which were installed in 2016.
 - 12. Because the water system is already constructed, there will be no financing required.
- 13. Attached hereto as **Appendix E** are the rates Mills proposes to charge for the provision of water services.
 - 14. Approximately seven (7) customers will receive water services from Mills.
- 15. Attached hereto as **Appendix F** is an approximation of the cost associated with the operation of the water facility during the previous three (3) years.
 - 16. No approval of the affected governmental bodies is necessary for purposes of this Application.

WHEREFORE, Mills Trust request the Commission grant it permission, approval, and a Certificate of Convenience and Necessity authorizing Mills to install, acquire, build, construct, own, operate, control, manage and maintain water systems for the public within the area referred to above.

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Whitney S. Smith_

Bryan O. Wade, #41939 Whitney S. Smith #68405 Husch Blackwell LLP 901 St. Louis St., Suite 1800

Springfield, MO 65806 Office: (417) 268-4000 Fax No: (417) 268-4040

<u>bryan.wade@huschblackwell.com</u> whitney.smith@huschblackwell.com

Attorneys for Mills Trust

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 2^{nd} day of October, 2018 to:

General Counsel's Office Office Office Office of the Public Counsel

<u>staffcounselservices@psc.mo.gov</u> <u>opcservice@ded.gov</u>

AFFIDAVIT

State of Missouri)	SS		
County of <u>Stone</u>)			
I, Carl Richard Mills, ha stated in the foregoing a			

Subscribed and sworn before me this A day of September, 2018.

(*XI) IVII* Notary Public

My Commission Expires 10/18/2020

information, knowledge and belief.

LORETTA S SWARTZ
Notary Public - Notary Seal
State of Missouri, Stone County
Commission Number 16224590
My Commission Expires Oct 18, 2020

Appendix A

See Attached.

Exhibit A

Phase One

DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 22 NORTH, RANGE 23 WEST, STONE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW4 OF THE NE4 OF SAID SECTION 12, THENCE S 87°31'18" E ALONG THE NORTH LINE OF SAID NW4 OF THE NE4, 986.78 FEET, THENCE LEAVE SAID NORTH LINE S 00°00'00" W, 1038.06 FEET TO A SET REBAR ON THE CENTERLINE OF A FIFTY (50.0) FOOT-WIDE ROADWAY AT THE POINT OF BEGINNING, THENCE CONTINUE ALONG SAID CENTERLINE S 45°02'48" E, 404.84 FEET TO A SET REBAR, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 188.78 FEET, A DISTANCE OF 69.21 FEET, THENCE S 24°02'25" E, 23.56 FEET TO A SET REBAR, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 123.25 FEET, A DISTANCE OF 56.94 FEET, THENCE S 02°25'57" W, 43.57 FEET TO A SET REBAR, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 123.25 FEET, THENCE 21°48'57" W, 86.74 FEET TO A SET REBAR, THENCE S 51°46'52" W, 401.30 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 607:35 FEET, A DISTANCE OF 99.04 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 607:35 FEET, A DISTANCE OF 99.78 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 101.14 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 101.14 FEET, THENCE S 24°08'45" W, 14.54 FEET TO A SET REBAR, THENCE N 75°31'04" W, 97.26 FEET TO A SET REBAR, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 149.58 FEET, A DISTANCE OF 59.21 FEET, THENCE N 52°50'11" W, 35.23 FEET, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 68.61 FEET, A DISTANCE OF 59.79 FEET, THENCE N 04°45'18" W, 81.80 FEET, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 68.61 FEET, A DISTANCE OF 109.15 FEET, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 294.69 FEET, A DISTANCE OF 59.79 FEET, THENCE N 04°46'08" E, 136.80 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBAR, THENCE N 07°49'03" E, 198.48 FEET TO A SET REBA

DESCRIPTION WELL LOT:

A WELL LOT SITUATED IN THE NE4 OF SECTION 12, TOWNSHIP 22 NORTH, RANGE 23 WEST, STONE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NW4 OF THE NE4 OF SAID SECTION 12, THENCE N 87°31'18" W ALONG THE NORTH LINE OF SAID NW4 OF THE NE4, 971.71 FEET, THENCE LEAVE SAID NORTH LINE S 02°28'42" W, 955.75 FEET TO THE POINT OF BEGINNING AT A POINT ON THE EASTERLY R/W LINE OF MISSOURI STATE HIGHWAY "DD," THENCE S 14°19'35" E ALONG SAID R/W LINE 62.49 FEET, THENCE ALONG A SEGMENT OF A CURVE LEFT, HAVING A RADIUS OF 538.69 FEET, A DISTANCE OF 62.65 FEET, THENCE LEAVE SAID R/W LINE N 75°40'25" E, 121.36 FEET, THENCE N 14°19'35" W, 125.00 FEET, THENCE S 75°40'25" W, 125.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRE, MORE OR LESS, TOGETHER WITH AN ACCESS EASEMENT, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NW4 OF THE NE4 OF SAID SECTION 12, THENCE N 87°31'18" W ALONG THE NORTH LINE OF SAID NW4 OF THE NE4, 971.71 FEET, THENCE LEAVE SAID NORTH LINE S 02°28'42" W, 955.75 FEET TO A POINT ON THE EASTERLY R/W LINE OF MISSOURI STATE HIGHWAY "DD," THENCE S 14°19'35" E, 62.49 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 538.69 FEET, A DISTANCE OF 348.65 FEET AN EXISTING REBAR ON THE WESTERLY R/W LINE OF A FIFTY (50.0) FOOT-WIDE STREET, THENCE N 38°45'18" W ALONG SAID R/W LINE 85.55 FEET, THENCE ALONG A CURVE RIGHT, HAVING A RADIUS OF 93.61 FEET, A DISTANCE OF 148.92 FEET, THENCE N 52°23'40" E, 10.00 FEET TO THE POINT OF BEGINNING AT A POINT ON THE CENTERLINE OF SAID ACCESS EASEMENT, THENCE N 37°36'20" W, 66.25 FEET TO THE END OF SAID EASEMENT ON THE SOUTH LINE OF THE ABOVE-DESCRIBED WELL LOT AT A POINT THAT IS N 75°40'25" E, 105.01 FEET OF SAID EAST R/W LINE OF M.S.H. "DD."

DESCRIPTION OPEN SPACE:

A PARCEL OF LAND SITUATED IN THE NE4 OF SECTION 12, TOWNSHIP 22 NORTH, RANGE 23 WEST, STONE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING STONE AT THE NORTHEAST CORNER OF THE NW4 OF THE NE4 OF SAID SECTION 12, THENCE N 87°31'18" W ALONG THE NORTH LINE OF NE4 OF SAID SECTION 12, 323.22 FEET, THENCE LEAVE SAID NORTH LINE S 00°00'00" W, 1038.06 FEET TO A SET REBAR, THENCE S 53°56'40" W, 166.34 FEET TO A SET REBAR, THENCE S 07°49'03" W, 198.48 FEET TO A SET REBAR, THENCE S 04°34'07" E, 272.32 FEET TO A SET REBAR ON THE CENTERLINE OF A FIFTY (50.0) FOOT-WIDE ROADWAY, THENCE S 40°46'08" W ALONG SAID CENTERLINE 100.00 FEET TO THE POINT OF BEGINNING, THENCE LEAVE SAID CENTERLINE N 49°13'52" W, 225.00 FEET, THENCE S 57°58'31" W, 193.18 FEET, THENCE S 14°19'35" E, 275.02 FEET TO A POINT ON THE CENTERLINE OF SAID ROADWAY, THENCE N 52°23'40" E, 250.86 FEET, THENCE ALONG A CURVE LEFT, HAVING A RADIUS OF 294.69 FEET, A DISTANCE OF 59.79 FEET, THENCE N 40°46'08" E, 36.80 FEET TO THE POINT OF BEGINNING, CONTAINING 1.5 ACRES, MORE OR LESS.

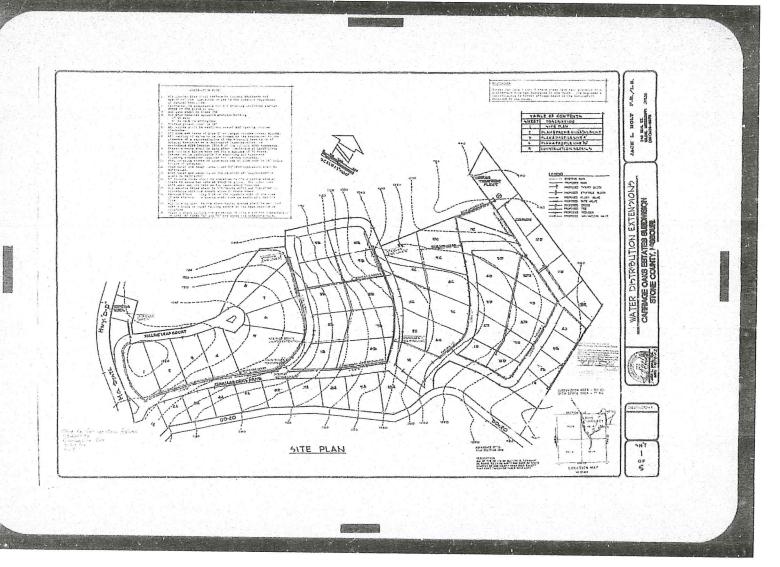
DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NE4 OF SECTION 12, TOWNSHIP 22 NORTH, RANGE 23 WEST, STONE COUNTY, MISSOURI BEING A PART OF CARRIAGE OAKS ESTATES, PHASE II, AS PER THE RECORDED PLAT THEREOF FOUND IN BOOK 51, PAGE 97 STONE COUNTY RECORDER OF DEEDS OFFICE, AND ADJACENT LAND, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW4 OF THE NE4 OF SAID SECTION 12, THENCE S 87'31'18" E ALONG THE NORTH LINE OF SAID NW4 OF THE NE4, 986.78 FEET, THENCE LEAVE SAID NORTH LINE S 00'00'00" E, 1038.06 FEET TO THE POINT OF BEGINNING AT THE NORTHERN MOST CORNER OF LOT 8, CARRIAGE OAKS ESTATES PHASE ONE, AS PER THE RECORDED PLAT THEREOF FOUND IN BOOK 45, PAGE 62, STONE COUNTY RECORDER OF DEEDS OFFICE, SAID POINT BEING ON THE CENTERLINE OF TURNING LEAF TRAIL AS NOW LOCATED, THENCE S 44'58'20" E ALONG SAID CENTERLINE 404.89 FEET, THENCE CONTINUE ALONG CENTERLINE ALONG A CURVE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S 34'30'21" E, 68.82 FEET, A RADIUS OF 188.78 FEET, A DISTANCE OF 69.21 FEET, THENCE S 24'00'11" E, 23.56 FEET, THENCE ALONG A CURVE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S 10'45'57" E, 56.44 FEET, A RADIUS OF 123.25 FEET, A DISTANCE OF 56.95 FEET, THENCE S 02'28'18" W, 43.57 FEET, THENCE ALONG A CURVE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S 12'09'46"W, 98.57 FEET, A RADIUS OF 292.77 FEET, A DISTANCE OF 99.04 FEET, THENCE S 21'50'31" W, 86.74 FEET TO THE INTERSECTION WITH THE CENTERLINE OF CARRIAGE OAKS DRIVE AS NOW LOCATED, THENCE S 51'46'52" W ALONG CENTERLINE OF CARRIAGE OAKS DRIVE, 351.30 FEET, THENCE CONTINUE ALONG CENTERLINE ALONG A CURVE LEFT HAVING A CHORD BEARING AND DISTANCE OF S 47'04'29" W, 99.67 FEET, A RADIUS OF 607.35 FEET, A DISTANCE OF 99.78 FEET, THENCE S 42"22'05" W, 190.77 FEET, THENCE ALONG A CURVE LEFT HAVING A CHORD BEARING AND DISTANCE OF S 33'15'24" W. 100.71 FEET, A RADIUS OF 318.00 FEET, A DISTANCE OF 101.14 FEET, THENCE S 24'08'42" W, 14.54 FEET, THENCE S 01'36'39" E, 60.96 FEET, S 40'50'19" W, 38.67 FEET TO A POINT ON THE NORTHERLY R/W LINE OF MISSOURI STATE HIGHWAY "DD", THENCE LEAVE CENTERLINE ALONG SAID R/W LINE ALONG A CURVÉ RIGHT HAVING A CHORD BEARING AND DISTANCE OF S 31"13"35" E, 92.22 FEET, A RADIUS OF 416.96 FEET, A DISTANCE OF 92.41 FEET, THENCE CONTINUE ALONG R/W LINE S 24"52"38" E, 91.53 FEET TO THE INTERSECTION WITH THE WESTERLY R/W LINE OF COUNTY ROAD "DD-20", THENCE LEAVE NORTHERLY R/W LINE N 65"26"00" E ALONG SAID WESTERLY R/W LINE 59.49 FEET, THENCE CONTINUE ALONG R/W LINE N 1410'03" E, 195.13 FEET, THENCE N 14'40'43" E, 20.82 FEET, THENCE N 48'49'20" E, 542.48 FEET, THENCE N 57'24'40" E, 267.83 FEET, THENCE N 65"27"51" E, 311.70 FEET TO THE SOUTHERNMOST CORNER OF THE LOT 10A OF SAID CARRIAGE OAKS ESTATES PHASE II, THENCE LEAVE R/W LINE N 30'02'08" W, ALONG THE SOUTH LINE OF SAID LOT 10A, 172,23 FEET, THENCE N 59'57'52" E, 153.08 FEET, THENCE S 80'55'07" E, 148.72 FEET RETURNING TO THE WESTERLY R/W LINE OF SAID COUNTY ROAD "DD-20", THENCE N 19'01'42" E, 50.75 FEET TO THE INTERSECTION WITH THE NORTHERLY R/W LINE OF AN INTERSECTING FIFTY (50) FOOT-WIDE ROADWAY EASEMENT, THENCE LEAVE WESTERLY R/W LINE N 80'55'07" W ALONG SAID NORTHERLY R/W LINE, 51.69 FEET, THENCE LEAVE NORTHERLY R/W LINE N 11'43'24" E, 177.53 FEET, THENCE S 83'55'03" W, 120.26 FEET, THENCE N 20'16'22" W, 159.63 FEET, THENCE N 20'27'48" W, 114.66 FEET, THENCE N 42'48'40" W, 41.03 FEET, THENCE N 43'04'10" W, 165.81 FEET, THENCE N 43"10"01" W, 142.17 FEET, THENCE N 43"06"23" W, 465.20 FEET, THENCE S 47"00"15" W, 422.63 FEET, THENCE S 42'59'45" E, 255.00 FEET, THENCE S 48'01'58" W, 288.55 FEET, THENCE S 44"58'20" E, 94.71 FEET, THENCE N 53'56'26" E, 25.16 FEET TO THE POINT OF BEGINNING, CONTAINING 22.26 ACRES. MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

Appendix C

See Attached.



Appendix D

Well and Water Main Cost (reconstructed from installation in 1999 to 2000):

<u>Item</u>	Cost
Well Drilling System, 760 ft. deep, 6" diameter with 700ft casing, 15 HP 480 VAC at approx. 60 GPM delivery, with 5 119 Accumulator tanks storage, operating between 45 and 65 PSI	\$93,000
Well house with concrete floor, lighting, and electrical control panels for system	\$6,800
3500 feet 4" PVC Bell Hub pipe, 300 ft 1 1/2" PVC pipe, 30 ea. 1 $\frac{1}{2}$ saddle adapters, etc.	\$8,600
Open 2 ft. wide x 3 ft deep ditch with back hoe, including Rock Hammer equip., remove trees, full length for water lines with room for vaults and air release valves, and pressure reducing valve, clean out for bedding materials (approximately 70 hours of time for machines and operators)	\$17,500
Labor to install pipe connections including vaults, valuing, risers, bleed valves, pressure reducing valves, bedding material before and after pipe laid; two men, truck, trailer, bobcat or tractor (approximately 90 hours of time)	\$20,700
TOTAL:	\$146,600

$Upgrades \ in \ 2015^{^{1}} \ to \ include \ well \ storage \ tank, \ valve \ manifold, \ dual \ pumps \ and \ accumulator$

<u>Item</u>	Cost
Upgrade water system with 12 ft. x 36 ft. water storage tank delivered and set in place	\$29, 408.75
Dual Pump/Motors, with piped valve manifold surface mounted in well house 60 GMP	\$9,946.61
TOTAL	\$39,355.36
GRAND TOTAL	\$185,955.36

SPH-2187767

 $^{^{\}rm 1}$ Upgrade verbally approved by the homeowners at the 2014 HOA meeting, but never paid for by homeowners 7

Appendix E

Proposed Rates

Monthly base rate for water: \$68.25 (include first 3,000 gallons of water)

Cost per 1,000 gallons of water: \$5.36 per 1,000 gallons (up to 20,000 gallons per

month)

\$7.16 per 1,000 gallons (above 20,001 gallons per

month)

Appendix F

Approximation of Cost for Operation for Previous 3 Years

2015

<u>Item</u>	Total Yearly Cost
Utilities for Water System	\$1,235
Testing	\$500
Permits	\$300
Management Related Services o Includes: o Weekly check of operating equipment, equipment grounds and chemical levels (Approximately 1 hour per week @ \$75 per hour) o Collection and delivery of water samples (4 times per year @ \$100 for each collection)	\$4,200
Maintenance Related Services Includes: Bush hogging, weed eating and mowing in water facility area (Approximately 10 times per year @ \$200 per occurrence) Removal of vegetation from filer beds (Approximately 2time per year @\$125 per occurrence)	\$2,250
TOTAL	\$8,485

2016

<u>Item</u>	Total Yearly Cost
Utilities for Water System	\$1,600
Testing	\$500
Permits	\$300
Service Calls/Repairs	\$710
Management Related Services	\$4,200

o Includes:	
 Weekly check of operating equipment , 	
equipment grounds and chemical levels	
(Approximately 1 hour per week @	
\$75 per hour)	
 Collection and delivery of water 	
samples (4 times per year @ \$100 for	
each collection)	
Maintenance Related Services	\$2,250
o Includes:	
o Bush hogging, weed eating and mowing in	
water facility area (Approximately 10	
times per year @ \$200 per occurrence)	
 Removal of vegetation from filer beds (Approximately 2time per year @\$125 per 	
occurrence)	
Chemicals	\$350
Chemical	
TOTAL	\$9,910

<u>Item</u>	Total Yearly Cost
Utilities for Water System	\$1860
Testing	\$500
Permits	\$300
Management Related Services	\$4,200
o Includes:	
 Weekly check of operating equipment , 	
equipment grounds and chemical levels	
(Approximately 1 hour per week @	
\$75 per hour)	
 Collection and delivery of water 	
samples (4 times per year @ \$100 for	
each collection)	

Maintenance Related Services	\$2,250
o Includes:	
 Bush hogging, weed eating and mowing in 	
water facility area (Approximately 10	
times per year @ \$200 per occurrence)	
 Removal of vegetation from filer beds 	
(Approximately 2time per year @\$125 per	
occurrence)	
TOTAL	\$9,110