

**BEFORE THE  
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of Lake Region Water and     )  
Sewer Company's Application to            )  
Implement a General Rate Increase         )  
In Water and Sewer Service                 )     Case No. SR-2010-0110

In the Matter of Lake Region Water and     )  
Sewer Company's Application to            )  
Implement a General Rate Increase         )  
In Water and Sewer Service                 )     Case No. WR-2010-0111

**Application to Intervene  
Opposition to Rate Increase Requests**

Comes now Four Seasons Racquet and Country Club Condominium Property Owners Association, Inc. ("Intervenor"), pursuant to 4 CSR 240-2.075, in response to Lake Region's Applications for water and sewer service rate increases, to the Commission's October 7, 2009 Suspension Order and Notice, and to the Commission's October 9, 2009 Second Suspension Order and Notice, and hereby applies to intervene in opposition to the requested rate increases and design. In support of this application Intervenor states as follows:

1. Four Seasons Racquet and Country Club Condominium Property Owners Association, Inc. ("Intervenor") is a Missouri not-for-profit corporation organized and operating under Missouri law. Intervenor provides condominium association services, including the purchase of water and sewer services, on behalf of its members. Intervenor's principal office and place of business is located at 251 Racquet Club Drive, Box 2370, Lake Ozark, Missouri, 65049.

2. Intervenor is a Missouri corporation in good standing with the State of Missouri as set forth in Attachment A, Intervenor's Certificate of Good Standing from the Secretary of State.

3. Copies of all filings, pleadings, orders, or other matters filed in or issued in this docket can and should be served on the following counsel for Intervenor:

Craig S. Johnson  
MoBar # 28179  
Berry Wilson, LLC  
304 East High Street, Suite 100  
P.O. Box 1606  
Jefferson City, MO 65102  
(573) 638-7272  
(573) 638-2693 fax  
craigsjohnson@berrywilsonlaw.com

4. Copies of all filings, pleadings, orders, or other matters filed in or issued in this docket can and should be served on Intervenor by sending them to:

John L. Walker,  
Executive Director  
Four Seasons Racquet and Country  
Club Condominium Property Owners Association, Inc.  
251 Racquet Club Drive  
Box 2370  
Lake Ozark, Missouri, 65049.

5. On or about October 7, 2009, Lake region Water & Sewer Company filed tariff sheets proposing a general rate increase for both water and sewer services provided to, among others, Intervenor.

6. By orders and notices this Commission directed that requests to intervene such as that contained herein should be filed by October 28, 2009.

7. Intervenor respectfully opposes Lake Region's rate increase requests based on information known at this time.

8. Intervenor has in the past purchased water and sewer services from Lake Region, or its affiliates, on behalf of over 500 condominium property owners. Intervenor continues to do so and expects to do so into the foreseeable future. Intervenor interfaces with Lake Region on behalf of the condominium property owners with respect to service installation, service maintenance, service repair, and the propriety of Lake Region charges. There is currently an unresolved matter or dispute between Intervenor and Lake Region regarding the propriety of changes to metering, and service charges, for sewer service rendered. The rate increases requested by Lake Region would adversely impact Intervenor's performance of its obligation within the confines of its operating budget and resources.

9. Intervenor has an interest in the rates and services of Lake Region that is different from that of the general public, as set forth above.

10. The granting of the relief requested by Lake Region would be adverse to Intervenor's interests. Intervenor respectfully states that it is entitled to intervene in this matter.

11. Intervenor is not a regulated utility. Intervenor has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years of the date of this Application to Intervene.

12. Intervenor is not a regulated utility. Intervenor has no annual report or assessment fees which are overdue this Commission.

13. Intervenor is a corporation, and not an association for purposes of 4 CSR 240-2.075. This rule requires associations to list all members to its application to intervene. Intervenor does not believe it is subject to this rule. In the event this Commission determines otherwise, Intervenor specifically requests a waiver of the requirement to list its property owners at the time of filing this application. Intervenor respectfully suggests it would serve no valid purpose to list its property owners, as there are in excess of 500 of them, and they reside in many jurisdictions besides Missouri. In the event the Commission requires such a listing, Intervenor requests that it be permitted to file such a list as Highly Confidential, or Proprietary, in order to protect its property owners from undesired contacts resulting from making such a list a matter of public record.

WHEREFORE, on the basis of the foregoing, Intervenor respectfully requests that its application to intervene be granted, and that it be allowed to participate as a party herein opposing the relief Applicant's have requested.

/s/ Craig S. Johnson  
Craig S. Johnson  
MoBar # 28179  
Berry Wilson, LLC  
304 East High Street  
Suite 100  
P.O. Box 1606  
Jefferson City, MO 65102  
(573) 638-7272  
(573) 638-2693 fax  
[craigsjohnson@berrywilsonlaw.com](mailto:craigsjohnson@berrywilsonlaw.com)

VERIFICATION

STATE OF MISSOURI )  
 ) ss  
COUNTY OF ~~CAMDEN~~ )  
 COLLE

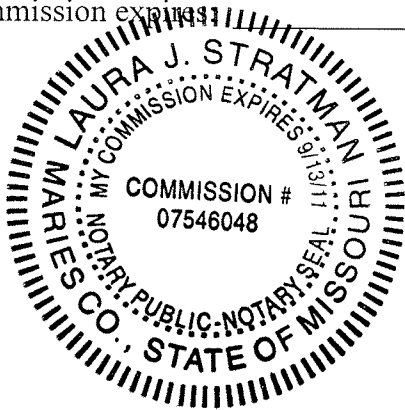
I, John L. Walker, Executive Director of Four Seasons Racquet and Country Club Condominium Property Owners Association, Inc., hereby verify and affirm that I have read the foregoing Application to Intervene, and that the statements contained therein are true and correct to the best of my knowledge, information, and belief.

*John L. Walker*

Subscribed and sworn to before me this 26th day of October, 2009.

*Laura J. Stratman*  
Notary Public

My commission expires \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this pleading was electronically mailed to the following attorneys of record in this proceeding this 26th day of October, 2009:

Jamie Ott  
Asst General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
[gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)

Christina Baker  
Office of Public Counsel  
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Mark Comley  
Newman Comley and Ruth  
601 Monroe St. Suite 301  
P.O. Box 537  
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/s/ Craig S. Johnson  
Craig S. Johnson

# STATE OF MISSOURI



Robin Carnahan  
Secretary of State

CORPORATION DIVISION  
CERTIFICATE OF GOOD STANDING

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

**FOUR SEASONS RACQUET AND COUNTRY CLUB CONDOMINIUMS PROPERTY OWNERS ASSOCIATION, INC.**  
N00031896

was created under the laws of this State on the 24th day of September, 1984, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 26th day of October, 2009

*Robin Carnahan*

Secretary of State



Certification Number: 12246378-1 Reference:  
Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>

Attachment 1