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December 1, 2005

Mr. Dale Hardy Roberts
Executive Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

FILED²
DEC 06 2005
Missouri Public
Service Commission

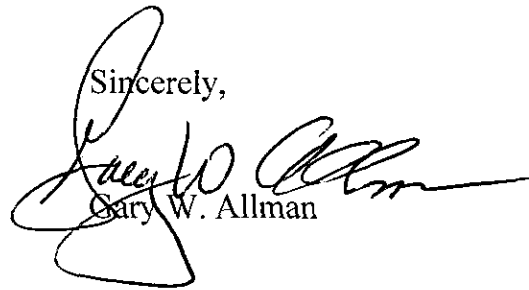
Re: New Proposed CCN for Tri-State Utility, Inc. - Water

Dear Mr. Roberts:

Enclosed please find the original and a copy of our Application for CNN to be filed with the Commission. Please file-stamp a copy for our records and return to us in the enclosed self-addressed, stamped envelope.

Your attention to this matter is greatly appreciated.

Sincerely,



Gary W. Allman

GWA/kf
encl.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

DEC 06 2005

Missouri Public
Service Commission

In the matter of the Application of)
Tri-State Utility, Inc., for a Certificate)
of Convenience and Necessity authorizing) Case No.
it to enlarge and extend its service area)
and to construct, install, own, operate,)
control, manage, and maintain a Water)
System for the public located in an)
unincorporated area in Taney County,)
Missouri)

APPLICATION

COMES NOW, Tri-State Utility, Inc., (hereinafter referred to as the "Company") and pursuant to Paragraph 393.170, RSMo 2000 and 4 CSR 240-2.060 (4) (A) and states to the Missouri Public Service Commission ("Commission") as follows:

1. Applicant is a Missouri corporation duly organized and existing under and by virtue of the laws of the State of Missouri with its principal office and place of business located at 2580 State Highway 165, Branson, Missouri currently provides water service to members of the public located within incorporated and unincorporated areas of Taney County of Missouri and, accordingly, is subject to the jurisdiction, control and regulations of the Commission as provided by law.

2. Communication in regard to the Application should be addressed to:

Harold I. Epps, President
2580 State Highway 165
Branson, Missouri, 65616
417-334-4189

Gary W. Allman, Attorney, Missouri Bar No. 19921
P.O. Box 5049
Branson, Missouri, 65615

3. Applicant previously applied and received a Certificate of Convenience and Necessity (CCN) from the Commission to provide service in its existing service territory in Commission Case No. WO-92-257.

Case No. WO-92-257 resulted in an Order approving, unanimous, and stipulation and agreement granting a certificate of Convenience and Necessity, approving tariffs.

4. Applicant requests permission, approval and a Certificate of Public Convenience and Necessity to extend, install, own acquire, construct, operate, control, manage and maintain a water system for the public in areas adjacent to its existing territory all located in the unincorporated area in Taney County, Missouri, as set forth on the map marked as Exhibit D (the unshaded area). The area adjacent to its existing territory and identified in Exhibit D, by diagonal lines, is the proposed new area. The extended and enlarged CCN added to the original CCN from the Commission Case No. WO-92-257 is as set forth in Exhibit B, adjacent to the existing territory set forth in Exhibit C.

5. In accordance with 4CSR 240-2.060 (4)(A)(5), Applicant prepared one feasibility study in Case No. WO-92-257 which, among other things, describes the existing well and service mains owned, operated, controlled, managed, and maintained subsequent to the approval of the funding request of the Commission in 1994, Commission Case No. WO- 92-257.

6. There are no municipalities located within the proposed area, and approval by Taney County is not required for the Applicant to provide water services to this area. The issuance of construction and operation permits from the Missouri Department of Natural Resources ("DNR") were obtained in 1994 during construction of said well and standpipe that is currently under operation, is not applicable to the application. Applicant expects that its water system will meet all future requirement of the DNR.

7. There are no other public utilities or governmental bodies being operated or rendering service with the area proposed to be served.

8. The area requested to be certified is comprised of those customers and projects described in Exhibit E.

Water service to these residential subdivision and commercial developments, absent Commission approval of the CCN area enlargement and extension would consist of multiple drilled wells into the aquifer. The nature of the problems of operating a multitude of individual drilled wells is the possible negative impact on the quality of the aquifer which provides a source of drinking water to all residents of the area. Therefore, public need exists for the adequate water service within the proposed area to be served, and the public convenience and necessity will be promoted by the granting of the of the authority herein requested.

9. A certificate from the Missouri Secretary of State evidencing the corporate good standing of applicant is attached hereto as Exhibit F. See 4CR 240-2.060 (1)(B).

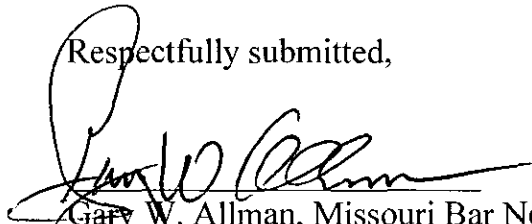
10. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involved customer service or rates in which action, judgments or decision has occurred within three (3) years of the date of this application.


11. Applicant has no annual report or assessment fees which are currently overdue.

12. Attached as Exhibit A is a narrative that outlines the history of Tri-State Utility, Inc., as well as its officers. Exhibit B is the legal description of the new certificate area to be added; Exhibit C is the legal description as is on file with the current tariff as issued by the P.S.C.; Exhibit D is a map outlining the location of the proposed new certificate area to be added; and Exhibit E shows current customers in the proposed new certificate area to be added that are currently being served by Tri-State Utility, Inc., and some additional proposed and ongoing development projects that have requested water service; and Exhibit F is the verification of Corporate good standing.

WHEREFORE, Applicant requests the Commission grant it permission, approval and a Certificate of Convenience and Necessity authorizing it to install, acquire, build, construct, own, operate, control, manage and maintain a water system for the public within the area referred to in paragraph 4, authorizing Applicant to implement rates and charges for the provision of water service consistent with those contained in the feasibility study originally present in Commission case WO-92-257, and for such other orders as the Commission deems proper under the circumstance.

Respectfully submitted,


Gary W. Allman, Missouri Bar No. 19921
ALLMAN, INGRUM & WILSON, P.C.


Harold I. Epps, President
Tri-State Utility, Inc.

Tri-State Utility, Inc

2580 State Highway 165, Branson, Missouri 65616


Phone 417-334-4189, Fax 417-336-6502

State of Missouri }
 }
County of Taney } SS.

On this 29 day of November, 2005, before me appeared Harold I. Epps, Known to me personally, who, being by me duly sworn, did say that he is the Owner and President of Tri-State Utility, Inc., a corporation operating in the State of Missouri in good standing, and did state that he has personal knowledge regarding the matters addressed in the foregoing Verified Application for the Permission, Approval, and a Certificate of Convenience and Necessity and that he has reviewed the Verified Application for the Permission, Approval, and a Certificate of Convenience and necessity; and that the information appears to be true and accurate to the best of his knowledge.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public:


Ellen Randleman

My Commission Expires: Jan 2, 2009

Seal:

