

THE LAW OFFICE OF GREGORY D. WILLIAMS

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GREGORY D. WILLIAMS, ATTORNEY AT LAW
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Hon. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65201

ATTN: Filing Desk

February 1, 2005

FILED³

FEB 4 2005

Missouri Public
Service Commission

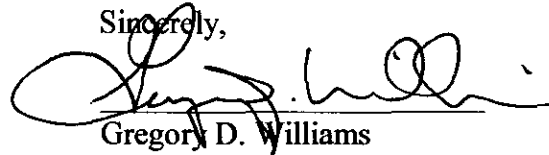
RE: In Re the Joint Application of Missouri American Water Company, Osage Water
Company, and Environmental Utilities, LLC
Case No. WO-2005-0086

Dear Judge Roberts:

Enclosed please find 8 copies of the Notice of Receipt of AmerenUE Permit for the
above referenced matter. I sent the original and 1 copy to be stamped filed on January
31, 2005, my secretary failed to enclose the other 8 copies.

Thank you for your assistance, if you have any questions regarding this matter, please do
not hesitate to call.

Sincerely,



Gregory D. Williams

GDW/jc

Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

FEB 4 2005

Missouri Public
Service Commission

In the Matter of the Joint Application of)
Missouri-American Water Company and both)
Osage Water Company and Environmental)
Utilities, L.L.C. for Authority for Missouri-)
American Water Company to acquire the water)
and sewer utility assets of both entities, and for)
the transfer to Missouri-American Water Company)
of Certificates of Convenience and Necessity)
to continue operation of such assets as Water and)
Sewer Corporations regulated by the Missouri)
Public Service Commission.)

Case No. WO-2005-0086

NOTICE OF RECEIPT OF AMERENUE PERMIT

COMES NOW Osage Water Company and advises the Commission that it has received a Permit from AmerenUE authorizing the operation and maintenance of the Cedar Glen Wastewater Treatment Plant on property belonging to AmerenUE within the project boundary of the Lake of the Ozarks. A copy of said Permit No. UE-30416-1-V is attached hereto. Receipt of said permit was a condition precedent to the negotiations for sale of said facility to Missouri American Water Company. Osage Water Company anticipates execution and filing with this Commission of a Contract for Sale pertaining to the Cedar Glen WWTP in the near future so that the same may be considered as part of the Application herein.



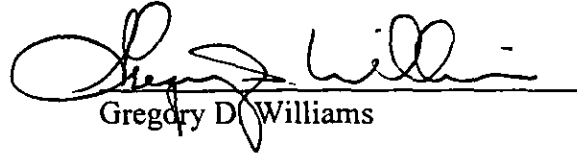
Gregory D. Williams #32272
Highway 5 at Lake Road 5-33
P.O. Box 431
Sunrise Beach, MO 65079

(573) 374-8761 Telephone
(573) 374-4432 Facsimile

CERTIFICATE OF SERVICE

I hereby certify that on the 31 day of January, 2005 a true copy of the foregoing was served on all parties of record by depositing the same in first class mail, postage prepaid, and addressed as follows:

Dana K. Joyce, P.O. Box 360, Jefferson City, MO 65102; Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102; Mark Comley, P.O. Box 537, Jefferson City, MO 65102; Timothy Duggan, P.O. Box 899, Jefferson City, MO 65102; Terry Allen, P.O. Box 1702, Jefferson City, MO 65102; Dean Cooper, 312 East Capitol Ave., Jefferson City, MO 65102.


Gregory D. Williams



LAKE OF THE OZARKS PERMIT

No. UE-30416-1-V

Activity: Miscellaneous
Waste Water Treatment Plant

Date Issued: 01/26/2005

Lake Mile: 31.2+14.0

Permittee:

Subdivision: Metes & Bounds

Osage Water Co.

328 S. Frontage Road

Osage Beach, MO 65065

Lot: **Block:** **Tract:**

Lot info:

Section: 34 **Township:** 38N **Range:** 17W

County: Camden

Approval is hereby granted to perform the activity (shown above) described in the application received 01/24/2005, according to the plans and specifications submitted with the application, subject to the following.

Any deviation from the information and specifications provided in the PERMIT APPLICATION or SPECIAL CONDITIONS below shall render this permit null and void.

Property owners and contractors who violate the permit may be subject to permit revocation, permit modification, fines and removal of projects at the property owners expense.

Union Electric Company (d/b/a AmerenUE) maintains and operates the Osage Project under Federal Energy Regulatory Commission License. The approval granted herein for construction and/or maintenance of this activity is conditioned upon your compliance at all times with all the terms and conditions of such license or any renewal thereof, including the possibility that your improvement may of necessity be ordered removed at some future date because of operating requirements. Further, your activity is subject to the general and special conditions set forth in the attached Appendix.

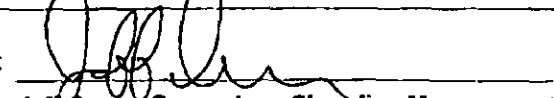
It is absolutely necessary that you obtain Corps of Engineers authorization for any structures constructed or work performed lakeward of the ordinary high water mark at Lake of the Ozarks, which is elevation 658.5 feet, Union Electric datum. Corps of Engineers authorization is required for the placement of fill material (such as retaining walls) in wetland or marsh areas. Wetlands are usually located at the heads (ends) of coves and generally extend to elevation 660.0 feet - 661.0 feet, Union Electric datum. If you are unsure of the need for Corps of Engineers authorization, you may write U. S. Army Corps of Engineers, Attn: CENWK-OD-RM-HT, Route 2, Box 29C, Warsaw, Missouri 65355, or call (660) 438-6697. In addition, you must obtain all other approvals of regulatory authority having jurisdiction over the lake and shoreline, which will vary with your activity and location.

Permit numbers have been assigned to all authorized structures or works in or over the Lake of the Ozarks for identification purposes. If the permit is for a dock, this number must be displayed on the dock in such a manner that it will be visible from the lake. Should the description, ownership, or location of this structure change, this office must be notified immediately.

This authorization is issued on a first-come, first-served basis to applicants on the basis of either property ownership, easement rights, or written permission of a responsible subdivision official. The activity must be positioned in such a manner that it will not create undue interference with, or be an obstruction to, navigable waters or interfere with access to adjacent docks or other property. Disputes that may arise from placement of this activity shall be locally or legally resolved by the permittee, and failure to do so may be cause for modification, suspension or revocation of this permit in accordance with condition 'i' contained in the attached Appendix.

Also, your attention is invited to general condition 'f' in said Appendix which states in part, that this permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights of other persons.

The activity authorized by this permit must be completed within 1 year or this permit is null and void unless an extension is issued by AmerenUE.

Approval: 
LWP **Jeff Green, Supervisor, Shoreline Management**

AmerenUE
PO Box 66149 - MC 700
St. Louis, MO 63166-6149
(314) 554-4259 or (573) 365-9203

- CC: Corps of Engineers Camden County Four Season Sub White Branch Sub Keithley Beach
 Shawnee Bend

Attachment

APPENDIX

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions "j" or "k" hereto, and in the institution of such legal proceedings as Union Electric Company, d/b/a AmerenUE, (hereinafter "AmerenUE") may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

c. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

d. That the permittee shall permit AmerenUE or its authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under the authority of this permit is in accordance with the terms and conditions prescribed herein.

e. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings submitted with the original permit application.

f. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

g. That this permit does not authorize the interference with the operation of the Bagnell Dam project or any other existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by, or result from, existing or future operations undertaken by AmerenUE or the Federal Government.

h. That this permit may be summarily suspended, in whole or in part, upon a finding by AmerenUE that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall become effective immediately. A written notice to the permittee shall subsequently be issued indicating: (1) the extent of the suspension, (2) the reasons for this action and (3) any corrective or preventive measures to be taken by the permittee which are deemed necessary by AmerenUE to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice.

i. That this permit may be either modified, suspended or revoked in whole or in part if AmerenUE determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension or revocation shall become effective 30 days after mailing a written notice to the permittee of such action which shall specify the facts or conduct warranting same unless within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit.

j. That in issuing this permit, AmerenUE has relied on the information and data which the permittee has provided in connection with the permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or AmerenUE may, in addition, institute appropriate legal proceedings.

k. That any modification, suspension or revocation of this permit shall not be the basis for any claim for damages against AmerenUE.

l. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

m. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard or Missouri State Water Patrol shall be installed and maintained by and at the expense of the permittee.

n. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition "p" hereof, he must restore the area to a condition comparable to that which existed prior to issuance of this permit.

o. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

p. That this permit may not be transferred to a third party without prior written notice to AmerenUE, and by the transferor's written agreement to comply with all terms and conditions of this permit.

III. Special Conditions:

aa. The permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels or lake fluctuation caused by power operations at Bagnell Dam on the Lake of the Ozarks. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of the boats moored thereto from damage by wave wash or water fluctuations and the permittee shall not hold AmerenUE liable for any such damage.

bb. Unless specifically authorized elsewhere in this permit, no gasoline, lubricants or other substances that might pollute the waters of the lake will be kept on the structure hereby authorized.

cc. Lumber products treated with pentachlorophenol or creosote will not be permitted for the construction of boat docks, connecting walkway ramps, support piers, seawalls or for future repairs of existing docks, walkways, piers or seawalls. Chromated copper arsenate (CCA) treated lumber products is an acceptable alternative, if treated material is considered necessary.

dd. -The backfilled area of a retaining wall cannot be used for the disposal of septic tank or other single home treatment facility effluents.