

In the Matter of Missouri-American)
 Water Company for a Certificate of)
 Convenience and Necessity Authorizing)
 it to Install, Own, Acquire, Construct,) Case No. _____
 Operate, Control, Manage and Maintain)
 a Water and Sewer Utility in Incline)
 Village, Warren County, Missouri.)
)

COMES NOW Missouri-American Water Company (“MAWC”) pursuant to Sections 393.140 and 393.170., RSMo 2000 and 4 CSR 240-2.060, 4 CSR 240-3.305 and 4 CSR 240-3.600, and for its Application to the Missouri Public Service Commission (“Commission”) states as follows:

- Greg Weeks -General Manager- Network
Missouri-American Water Company
2650 E. 32nd Street, Suite 121
Joplin, MO 64804

(417) 623-3238

John Reichart, Corporate Counsel
American Water – Central Region
727 Craig Road
St. Louis, MO 63141
(314) 996-2287

5. MAWC requests permission, approval and a Certificate of Convenience and Necessity to install, own, acquire, construct, operate, control, manage and maintain a water and sewer system for the public in areas located in and around Incline Village in Warren County, Missouri, as set forth on the map attached to this Application as Appendix 1.
6. This is a new development area that is not currently served by water and sewer service. Adjacent water and sewer service is available from MAWC. No other entities provide water or sewer services in the area for which MAWC is requesting the Certificate.
7. In accordance with 4 CSR 240-3.305(1)(A)2 and 4 CSR 240-3.600(1)(A)2 the following is a listing of 10 [residents or landowners?] in the proposed service area:

Timothy and Janice Moore 610 Saffron Court Foristell, MO 63348	Wade and Tamra Crooks 130 Sumac Ridge Drive Foristell, MO 63348
Lisa Atchison and Sara Brown 150 English Road Foristell, MO 63348	Edward and Tami Barrieau 149 Sumac Ridge Drive Foristell, MO 63348
Ronald and Emily Beth Fralicx 64 Dumont Court Foristell, MO 63348	Orville and Ruth Anne Weber 414 Parsley Place Foristell, MO 63348
Robbie and Johnna Dawson 410 Parsley Place Foristell, MO 63348	Edward and Mary Lukacina 1133 Dietrich Road Foristell, MO 63348
Jason and Sylvia Wood 1403 Dietrich Road Foristell, MO 63348	Richard and Debra Crady 505 Fennel Court Foristell, MO 63348

8. A legal description of the area to be certificated is attached as Appendix 2 in accordance with 4 CSR 240-3.305(1)(A)3 and 4 CSR 240-3.600(1)(A)3.

9. A plat drawn to scale in accordance with 4 CSR 240-3.305(1)(A)4 and 4 CSR 240-3.600(1)(A)3 is attached as Appendix 3.
10. The areas for which MAWC seeks a certificate is located adjacent to and contiguous with its existing certificated area in Incline Village in Warren County, Missouri. Thus, in order to serve these areas, MAWC should not be required to make any additional major investments in facilities, in the next three years, but rather it will be able to extend existing mains into these new areas. Accordingly, a feasibility study, as contemplated by Commission Rule 4 CSR 240-3.305(1)(A)5 and 4 CSR 240-3.600(1)(A)5, would not appear to be appropriate under the circumstances and MAWC would therefore request waiver of the requirement to file a feasibility study for this area.
11. MAWC plans to finance the necessary construction through the use of internally generated funds. MAWC proposes to provide water and sewer service to this area in accordance with the rates, rules and regulations currently applicable to its Warren County District.
12. MAWC is unaware of any franchise (either city or county) which would be required in order for it to provide service in this area. The issuance of construction and operating permits from the Missouri Department of Natural Resources ("DNR") resources is subject to Commission certification inasmuch as the Commission's Certificate of Convenience and Necessity establishes the requirement of control and responsibility for the systems under DNR regulations. MAWC expects that its systems will meet all requirements of the DNR. MAWC is unaware of any other governmental approval necessary for the proposed construction.
13. MAWC has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates having occurred within three years from the date of this Application.
14. Applicant has no annual report or assessment fees which are currently overdue.

WHEREFORE, MAWC requests the Commission grant it permission, approval and a Certificate of Convenience and Necessity authorizing it to install, own, acquire, .

construct, operate, control, manage and maintain a water and sewer system for the public within the area referred to in Paragraph Eight, and to issue such other orders as the Commission may deem appropriate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Reichart", is written over a horizontal line.

JOHN REICHART #59479

Attorney for Plaintiff

Missouri-American Water Company

727 Craig Road

St. Louis, MO 63141

(314) 996-2287

Fax – (314) 997-2451

AFFIDAVIT

State of Missouri)
)ss
County of St. Louis)

I, James Jenkins, having been duly sworn upon my oath, state that I am the Vice President of Missouri-American Water Company, that I am duly authorized to make this affidavit on behalf of Missouri-American Water Company, that the matters and things stated in the foregoing application and appendices thereto are true and correct of the best of my information, knowledge and belief.

James M. Jenkins

Subscribed and sworn before me this 11th day of July, 2007.

Staci A. Olsen

Notary Public

My Commission Expires _____

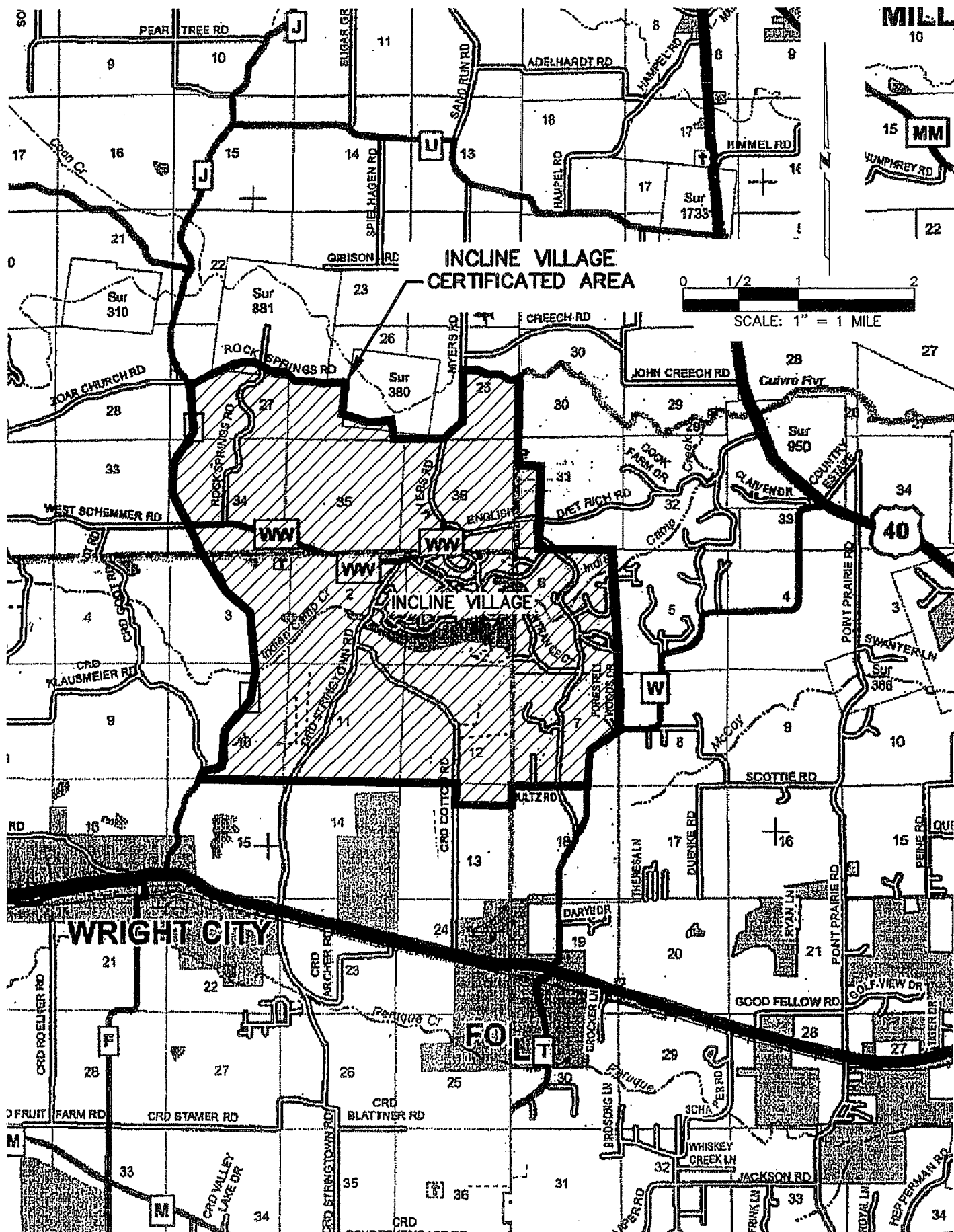
Staci A. Olsen
Notary Public - Notary Seal
State of Missouri
St. Charles County
Commission # 05519210
My Commission Expires: March 20, 2009

APPENDICES

Appendix 1 Map of Area

Appendix 2 Legal Description

Appendix 3 Plat Drawing



P.O. Box 8340
9280 Dielman Industrial Dr.
St. Louis, Missouri 63132
(314) 997-5777
Fax 997-0407

E-Mail: ppi@poehlman-prost.com

INCLINE VILLAGE
CERTIFICATED AREA DESCRIPTION

AN AREA LOCATED IN PART OF U.S. SURVEYS 380 AND 881, AND PART OF SECTIONS 25, 26, 27 AND 34 AND ALL OF SECTIONS 35 AND 36 IN TOWNSHIP 48 NORTH, RANGE 1 WEST IN LINCOLN COUNTY, ALSO PART OF SECTION 31 IN TOWNSHIP 48 NORTH, RANGE 1 EAST IN ST. CHARLES COUNTY, ALSO ALL OF SECTION 6 AND PART OF SECTION 7 IN TOWNSHIP 47 NORTH, RANGE 1 EAST IN ST. CHARLES COUNTY AND ALL OF SECTIONS 1, 2, 11, 12 AND PART OF SECTIONS 3, 10 AND 13 IN TOWNSHIP 47 NORTH, RANGE 1 WEST IN WARREN COUNTY, MISSOURI AND ADJACENT AREAS ALSO, AND ENCOMPASSING INCLINE VILLAGE IN SAID COUNTIES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERN LINE OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 1 WEST WITH THE WESTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY "J", THENCE IN A NORTHWARD DIRECTIONS ALONG SAID WESTERN RIGHT-OF-WAY OF STATE HIGHWAY "J" TO ITS INTERSECTION WITH ROCK SPRINGS ROAD; THENCE DEPARTING SAID HIGHWAY "J" AND GOING IN AN EASTWARD DIRECTION ALONG THE NORTHERN RIGHT-OF-WAY LINE OF ROCK SPRINGS ROAD AND ITS PROLONGATION EASTWARDLY OF EAST ROCK SPRINGS ROAD TO ITS INTERSECTION WITH MYERS ROAD; THENCE IN A NORTHERLY DIRECTIONS ALONG THE WESTERN RIGHT-OF-WAY LINE OF MYERS ROAD TO ITS INTERSECTION WITH THE CENTERLINE OF BIG CREEK; THENCE DEPARTING SAID MYERS ROAD GOING IN AN EASTWARD DIRECTION ALONG THE CENTERLINE OF SAID BIG CREEK TO IT INTERSECTION WITH THE EASTERN LINE OF LINCOLN COUNTY; THENCE IN A SOUTHERN DIRECTION ALONG THE COMMON COUNTY LINE BETWEEN ST. CHARLES COUNTY AND LINCOLN COUNTY TO IT INTERSECTION WITH HUNN ROAD; THENCE IN AN EASTERLY AND SOUTHERLY DIRECTION ALONG THE EASTERN NORTHERN RIGHT-OF-WAY LINE OF HUNN ROAD TO ITS INTERSECTION WITH DIETRICH ROAD; THENCE CONTINUING IN A SOUTHERN DIRECTION ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID DIETRICH ROAD TO ITS INTERSECTION OF THE NORTHERN LINE OF SECTION 6, TOWNSHIP 47 NORTH, RANGE 1 EAST OF ST. CHARLES COUNTY; THENCE DEPARTING SAID DIETRICH ROAD GOING IN AN EASTWARD DIRECTION ALONG THE NORTHERN LINE OF SAID SECTION 6 TO THE

NORTHEAST CORNER OF SAID SECTION 6; THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERN LINE OF SAID SECTION 6 TO THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE CONTINUING IN A SOUTHERN DIRECTION ALONG THE EASTERN LINE OF SECTION 7, TOWNSHIP 47 NORTH, RANGE 1 EAST OF ST. CHARLES COUNTY TO ITS INTERSECTION WITH SPARTAN DRIVE; THENCE IN A SOUTHERLY DIRECTIONS ALONG THE EASTERN RIGHT-OF-WAY LINE OF SPARTAN DRIVE AND FORISTELL WOODS DRIVE TO ITS INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF STATE HIGHWAY "W"; THENCE IN A SOUTHWESTERLY AND SOUTHERN DIRECTION ALONG THE SOUTHERN AND EASTERN RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY "W" TO ITS INTERSECTION WITH SCHULTZ ROAD; THENCE IN AN WESTERLY DIRECTION ALONG THE SOUTHERN AND EASTERN RIGHT-OF-WAY LINE OF SAID SCHULTZ ROAD TO ITS INTERSECTION WITH COTTON ROAD; THENCE IN A NORTHERLY DIRECTION ALONG THE WESTERN RIGHT-OF-WAY LINE OF SAID COTTON ROAD TO ITS INTERSECTION WITH THE SOUTHERN LINE OF SECTION 12, TOWNSHIP 47 NORTH, RANGE 2 WEST IN WARREN COUNTY; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERN LINES OF SECTIONS 10, 11, AND 12 OF TOWNSHIP 47 NORTH, RANGE 1 WEST TO ITS INTERSECTION WITH THE WESTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY "J" TO THE POINT OF BEGINNING.

207-046

