

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Joint Application of the)	
City of Centralia, Missouri and Public Water)	
Supply District No. 10 of Boone County,)	
Missouri for approval of a second amendment)	<u>Case No. WO-2007-0091</u>
to a written territorial agreement concerning)	
territory within Boone County, Missouri.)	

**RECOMMENDATION REGARDING AMENDMENT
TO WATER SERVICE TERRITORIAL AGREEMENT**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Recommendation Regarding Amendment to Water Service Territorial Agreement ("Recommendation") states the following to the Missouri Public Service Commission ("Commission").

PROCEDURAL HISTORY

1. On August 29, 2006 (unless noted otherwise, all dates herein refer to the year 2006), the City of Centralia, Missouri ("City") and Boone County Public Water Supply District No. 10 ("District") (collectively, the "Joint Applicants") filed a Joint Application asking the Commission to approve a second amendment ("Amendment") to the water service area territorial agreement that the Commission approved in February 2002 in Case No. WO-2002-208 ("the Original Territorial Agreement"). The Joint Applicants filed their Joint Application pursuant to the applicable provisions of Section 247.172, RSMo, and the provisions of the applicable Commission rules.

2. On August 30, the Commission issued its **Order Directing Staff to File a Recommendation**, in which it directed the Staff to file its recommendation regarding the Joint Application and the Amendment no later than September 29.

3. On September 29, the Staff filed its Motion for Extension of Time to File Staff Recommendation, in which it requested a four-day extension to October 3 for the filing of its recommendation. The Commission granted this Staff motion by an order issued on October 2.

**STAFF'S FINDINGS REGARDING THE
JOINT APPLICATION AND THE AMENDMENT**

4. Based on its review of the Joint Application and the Amendment, the Staff has determined that:

- a. A copy of the Amendment was attached to the Joint Application;
- b. The Amendment designates the boundaries of the respective water service areas of the City and the District;
- c. A map showing the service areas that are the subject of the Amendment was attached to the Joint Application;
- d. A boundary description of the service areas that are the subject of the Amendment was attached to the Joint Application;
- e. The provisions of 4 CSR 240-2.060(1)(K) & (L) and 4 CSR 240-3.625(1)(B) are not applicable for purposes of the subject Joint Application, since the Joint Applicants are not otherwise subject to the Commission's jurisdiction;
- f. Implementation of the Amendment will not result in a change of water supplier for any existing customers of either the District or the City;
- g. The Amendment will enable the Joint Applicants to avoid duplication of water utility services within the affected areas, will improve the ability of the Joint Applicants to plan for future water service, and will enable customers in the affected service areas to know who will provide their water service, all to the benefit of the Joint Applicants' current and future customers; and

h. The Amendment does not affect the provisions of the Joint Application pertaining to the Original Territorial Agreement, which acknowledged that the Original Territorial Agreement in no way affects or diminishes the rights and duties of any water supplier that was not a party to the Original Territorial Agreement to provide service within the service areas set forth in that agreement.

**STAFF'S CONCLUSIONS REGARDING THE
JOINT APPLICATION AND THE AMENDMENT**

5. Based on its review of the Joint Application and the Amendment, the Staff has reached the following conclusions:

a. That the Joint Application and the Amendment meet the requirements of the applicable provisions of Section 247.172, RSMo, and the requirements of the applicable Commission rules; and

b. That the Amendment is "not detrimental to the public interest" and that the Commission should so find.

STAFF'S RECOMMENDATION

6. Based on its review of the Joint Application and the Amendment, the Staff recommends that the Commission issue an order that approves the Joint Application and the Amendment to the previously-approved territorial agreement that are the subject of this case.

WHEREFORE, the Staff respectfully submits its Recommendation regarding this case for the Commission's consideration.

Respectfully Submitted,

/s/ Keith R. Krueger

Keith R. Krueger
Deputy General Counsel
Missouri Bar No. 23857

Attorney for the Staff of the
Missouri Public Service Commission

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CERTIFICATE OF SERVICE

I hereby certify that copies of this Recommendation have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 3rd day of October 2006.

/s/ Keith R. Krueger

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

AFFIDAVIT OF DALE W. JOHANSEN

STATE OF MISSOURI)

) ss

Case No. WR-2007-0091

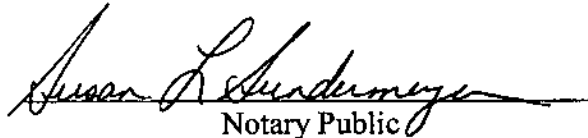
COUNTY OF COLE)

Dale W. Johansen, of lawful age, on his oath states: (1) that he is the Manager of the Missouri Public Service Commission's Water & Sewer Department; (2) that he participated in the preparation of the foregoing Recommendation; (3) that he has knowledge of the matters set forth in the foregoing Recommendation; and (4) that the matters set forth in the foregoing Recommendation are true and correct to the best of his knowledge, information and belief.



Dale W. Johansen – Manager
Water & Sewer Department
Utility Operations Division

Subscribed and sworn to before me this 3rd day of October 2006.


Notary Public

My Commission Expires: 9-21-10



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086