

Missouri Public Service Commission

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2651 (9-01)

FILED

AUG 21 2006

Missouri Public
Service Commission

JSN

Jerry Steinhour
2294 Big Island Drive, Lot 57
Roach, MO 65787

NIXIE 656 1 06 08/13/06

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

BC: 65102036060 *0726-08905-10-37

65727+7734-34 H067
6550000055

|||||

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 10th day of
August, 2006.

In the Matter of the Application of Big Island)	
Water & Sewer Company for a Certificate of)	
Convenience and Necessity Authorizing It to)	
Construct, Install, Own, Operate, Control, Manage)	<u>Case No. WA-2006-0480, et al.</u>
and Maintain a Water and Sewer System for the)	
Public Located in an Unincorporated Area in)	
Camden County, Missouri)	

**ORDER GRANTING ADDITIONAL APPLICATION TO INTERVENE AND
DIRECTING STAFF TO FILE A PROPOSED PROCEDURAL SCHEDULE**

Issue Date: August 10, 2006

Effective Date: August 10, 2006

On June 16, 2006, Big Island Water & Sewer Company filed an application for a certificate of convenience and necessity to operate a water and sewer system on Big Island, located in Camden County. The Commission received timely applications to intervene from 16 individuals. The Commission granted 15 of those applications to intervene on July 20. The one application that was not granted was that of Joseph J. Schrader.

Big Island Water & Sewer Company objected to Mr. Schrader's application to intervene, contending that his interest in this case is no different than that of the general public because he lives in Florida and does not currently own property that could be affected by the water and sewer system that Big Island Water & Sewer Company proposes

to operate. Rather than immediately rule on Mr. Schrader's application to intervene, the Commission gave him an opportunity to further explain his interest in this case.

Mr. Schrader responded by filing a letter on July 31. The letter explains that while he no longer owns property on Big Island, he is still very interested in events on the island. He also explains that he was very involved in past events concerning the installation of the existing water and sewer system on the island and contends that his knowledge about those events would be helpful to the Commission in its consideration of Big Island Water & Sewer Company's application.

Intervention in cases before the Commission is governed by Commission Rule 4 CSR 240-2.075. Subsection (4) of that rule provides that the Commission may permit any person to intervene who can show that they have an interest in the case that is different from that of the general public, and which may be adversely affected by a final order arising from the case. In the alternative, the Commission can grant a request to intervene if doing so would serve the public interest.

The Commission has allowed the other applicants to intervene so that they can have a voice in protecting their property rights on Big Island. Mr. Schrader does not own property on Big Island, so he does not have any property rights to protect. However, a property interest in the case is not the only criteria for allowing a party to intervene in a case before the Commission. The second part of the regulation allows the Commission to grant a request to intervene if doing so would serve the public interest. Mr. Schrader has demonstrated a knowledge about the circumstances of the installation of the water and sewer system on Big Island that may be helpful to the Commission as it considers Big

Island Water & Sewer Company's application. His application to intervene would therefore serve the public interest and will be granted.

It is now time to move this application toward a resolution. To that end, the Commission will direct its Staff to consult with the parties to prepare a proposed procedural schedule. If any party is unwilling to join in the procedural schedule proposed by Staff, they may propose an alternative schedule for the Commission's consideration.

IT IS ORDERED THAT:

1. The Application to Intervene of Joseph J. Schrader is granted.
2. The Commission's Staff is directed to file a proposed procedural schedule no later than August 25, 2006.
3. Any other party that wishes to file a proposed procedural schedule may do so no later than August 25, 2006.
4. This order shall become effective on August 10, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Gaw and Appling, CC., concur
Murray and Clayton, CC., dissent

Woodruff, Deputy Chief Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 10th day of August 2006.**



**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

August 10, 2006

Case No. WA-2006-0480

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Arthur W. Nelson
6504 NW Melody
Parkville, MO 64152

Ben F. Weir
3515 SW Meyer Blvd.
Blue Springs, MO 64015

Benjamin D. Pugh
1780 Big Island Drive
Roach, MO 65787

Bernard J. Beaven
13900 E. 217th
Peculiar, MO 64078

Big Island Water & Sewer Company, Inc.
Charles McElyea
85 Court Circle
P.O. Box 559
Camdenton, MO 65020

Big Island Water & Sewer Company, Inc.
Mark Comley
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537

Cathy J. Orlor
3252 Big Island Drive
Roach, MO 65787

Cindy Fortney
3298 Big Island Dr.
Roach, MO 65787

Don Deckard
7901 NW Highway 9
Parkville, MO 64152

Donald J. Weast
5291 Kerth Road
Mehlville, MO 63128

Elaine H. and William T. Foley, II
15360 Kansas Avenue
Bonner Springs, KS 66012

Eugene Prather
1604 Big Island Drive
Roach, MO 65787

Frances K. Weast
5291 Kerth Road
Mehlville, MO 63128

Jerry Steinhour
2294 Big Island Drive, Lot 57
Roach, MO 65787

Joseph Geary Mahr
1886 Big Island Drive
Roach, MO 65787

Joseph Schrader
1105 Yorktown Place
DeLand, FL 32720

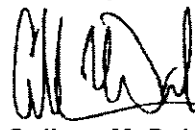
Mark & Deborah Hesley
2308 Big Island Drive
Roach, MO 65787

Stan Temares
371 Andrews Trail Court
St. Peters, MO 63376

Stephen D. Kleppe
1812 Big Island Drive
Roach, MO 65787

Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Colleen M. Dale
Secretary**