

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Application of Environmental Utilities, )  
LLC, for Permission, Approval, and a Certificate of )  
Convenience and Necessity Authorizing It to Construct, )  
Install, Own, Operate, Control, Manage and Maintain ) **Case No. WA-2002-65**  
a Water System for the Public Located in Unincorporated )  
Portions of Camden County, Missouri (Golden Glade )  
Subdivision) )

### **ORDER DIRECTING FILING**

On June 27, 2002, the Commission issued a Report and Order that held that Environmental Utilities, LLC, would be granted a certificate of convenience and necessity to provide water service to the Golden Glade subdivision. The Report and Order provided, however, that a certificate would not be issued to Environmental Utilities until it filed a pleading proving to the satisfaction of the Commission that it has arranged to provide wholesale water to Osage Water Company for the use of Osage Water Company's customers in the Eagle Woods subdivision.

On September 1, 2002, Environmental Utilities issued a tariff that would establish rules for the provisioning of service in its requested service area. That tariff carries an effective date of October 1, 2002.

On September 11, 2002, Environmental Utilities filed a Notice of Water Supply Agreement. The water supply agreement that was attached to that notice indicates that Environmental Utilities has signed a contract with Osage Water Company to supply water, at a wholesale rate, for a subdivision served by Osage Water

The Commission would like to have direction from its Staff, as well as from other parties, regarding whether the supply agreement submitted by Environmental Utilities satisfies the requirements of the Commission's Report and Order. In particular, the Commission would like to know whether Osage Water has filed articles of dissolution. And, if so, whether an administratively dissolved corporation is capable of entering into the supply agreement submitted by Environmental Utilities. So that it may consider these questions along with Environmental Utilities' proposed service tariff, the Commission will direct its Staff to file its recommendation regarding the supply agreement not later than September 20, 2002. Any other party that wishes to file a recommendation regarding the supply agreement may do so not later than September 20, 2002.

**IT IS THEREFORE ORDERED:**

1. That, on or before September 20, 2002, the Staff of the Commission shall file its recommendation regarding whether the supply agreement submitted by Environmental Utilities, LLC, satisfies the requirements for issuance of a certificate of convenience and necessity established in the Commission's Report and Order of June 27, 2002.

2. That any other party that wishes to file a recommendation regarding whether the supply agreement submitted by Environmental Utilities, LLC, satisfies the requirements for issuance of a certificate of convenience and necessity established in the Commission's Report and Order of June 27, 2002, may do so not later than September 20, 2002.

3. That this order shall become effective on September 19, 2002.

**BY THE COMMISSION**

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Morris L. Woodruff, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 12th day of September, 2002.