

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

In the Matter of the Application of Tri-State Utility, Inc., )  
for a Certificate of Convenience and Necessity )  
Authorizing It to Enlarge and Extend Its Service Area ) **Case No. WA-2006-0241**  
and to Construct, Install, Own, Operate, Control, )  
Manage, and Maintain a Water System for the Public )  
Located in an Unincorporated Area in Taney County, )  
Missouri )

## **ORDER DIRECTING NOTICE AND SETTING DATE FOR SUBMISSION OF INTERVENTION REQUESTS**

Issue Date: December 7, 2005

Effective Date: December 7, 2005

On December 6, 2005, Tri-State Utility, Inc., filed an application with the Missouri Public Service Commission, pursuant to Section 393.170, RSMo 2000, requesting that the Commission grant it authority to provide water service to an expanded service area in an unincorporated portion of Taney County, Missouri. Tri-State is a regulated public utility currently serving the public in Taney County. The additional area for which Tri-State seeks certification includes an adjacent area situated in sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 15 and 23 in Township 22 North, Range 22 West, Taney County, Missouri. Tri-State represents there are no municipalities or other public water suppliers within the proposed service area.

The Commission finds that notice of this application should be given to the general public and interested parties and that a date for intervention of proper parties should be set.

The Commission's Data Center shall mail a copy of this notice to the County Commission of Taney County, and to the Department of Natural Resources of the State of Missouri. In addition, the Commission's public information officer shall make notice of this order available to the media serving Taney County and to the members of the General Assembly representing Taney County.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary.<sup>1</sup>

**IT IS THEREFORE ORDERED:**

1. That the Missouri Public Service Commission's Data Center is ordered to serve notice to the County Commission of Taney County, Missouri, and to the Missouri Department of Natural Resources.

2. That the Missouri Public Service Commission's information officer is ordered to serve notice to the media serving Taney County and to the members of the General Assembly representing Taney County, Missouri.

3. That any proper person wishing to intervene in this matter shall file an application no later than December 28, 2005. Such applications shall be filed with:

Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

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<sup>1</sup> *State ex rel. Deffenderfer v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo App. 1989)

with a copy served on:

Gary W. Allman  
Attorney at Law  
P.O. Box 5049  
Branson, Missouri 65615

Attorney for Tri-State

and:

Office of the Public Counsel  
P.O. Box 2230  
Jefferson City, Missouri 65102

4. That this order shall become effective on December 7, 2005.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Steven C. Reed, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 7th day of December, 2005.