

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

In the Matter of the Joint Application of	)	
Silverleaf Resorts, Inc., and Algonquin	)	
Water Resources of Missouri, LLC, and ,	)	Case No. WO-2005-0206
in Connection Therewith, Certain Other	)	
Related Transactions.	)	

**ISSUES LIST, WITNESS LISTS, ORDER OF OPENING STATEMENTS,  
AND ORDER OF CROSS EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and on the behalf of Silverleaf Resorts, Inc. and Algonquin Water Resources of Missouri, LLC (Applicants) and the Office of the Public Counsel, submits to the Commission its issues list, witness lists, order of opening statements and order of cross examination as follows:

1. On May 10, 2005, the Commission issued its Order Adopting Procedural Schedule (Order) in the above captioned case. In its Order, the Commission directed that “Staff shall be responsible for actually drafting and filing the list of issues...” This filing comports with the Commission’s Order.
2. **List of Issues**
  - (1) Is the proposed sale of Silverleaf’s water and sewer utility assets to Algonquin “not detrimental to the public interest”?

- (2) Must the Commission rule whether or not Algonquin can recover any acquisition premium that may exist as a result of *State ex rel AG Processing, Inc. v. Pub. Serv. Comm'n*, 120 S.W.3d 732 (Mo. Banc 2003)? If so, what standard must be applied ?
- (3) If the Commission does not rule at this time that the acquisition premium will be excluded from rates in future rate case proceedings, must the Commission determine the amount of the acquisition premium that may exist in order to determine whether the transaction is detrimental to the public interest?
- (4) In order to decide if the transaction is detrimental to the public interest, must the Commission determine the maximum amount of acquisition premium that Algonquin may seek to recover in future rate proceedings?
- (5) If the Commission determines that some amount of the acquisition premium may be recoverable in rates, must the Commission rule on the issues raised by the Staff regarding the following matters?

Plant in Service

Contributions in Aid of Construction

Costs related to the Well No. 2 Project in Holiday Hills

Depreciation Reserves

### 3. **Opening Statements**

- (1) Applicants
- (2) Office of the Public Counsel
- (3) Staff

4. **List of Witnesses / Order of Cross Examination**

Applicants

Joe W. Conner – Silverleaf / OPC / Staff  
Mike Weber – Algonquin / OPC / Staff  
Michael J. Brown – Silverleaf / OPC / Staff  
Joel L. Wade – Algonquin / OPC / Staff

Office of Public Counsel

Russ Trippensee / Staff / Applicants

Staff

Dale W. Johansen / OPC / Applicants  
Graham A. Vesely / OPC / Applicants  
James A. Merciel, Jr. / OPC / Applicants

WHEREFORE, on behalf of the parties to this case, the Staff submits its Issues List, Witness Lists, Order of Opening Statements, and Order of Cross Examination as directed by the Commission.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ Robert S. Berlin**

Robert S. Berlin  
Associate General Counsel  
Missouri Bar No. 51709

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## Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 13th day of July 2005.

**/s/ Robert S. Berlin**

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