

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of
February, 2010.

In the Matter of the Transfer of Assets of)
Swiss Villa Utilities, Inc., to the Black Oak)
Mountain Resort Property Owners Association.)

File No. WO-2007-0410

**ORDER APPROVING TRANSFER OF ASSETS
AND CANCELING CERTIFICATES AND TARIFFS**

Issue Date: February 3, 2010

Effective Date: February 13, 2010

This order approves the transfer of utility assets from Swiss Villa Utilities, Inc., Quannah Corporation, S.V. Holding, Inc., and Stone County to the Black Oak Mountain Water Company and the Black Oak Mountain Sewer Company. It also cancels the certificates of convenience and necessity previously issued by the Commission to Swiss Villa Utilities, Inc., cancels the tariffs of Swiss Villa Utilities, Inc., and relieves Staff of the obligation to file monthly status reports.

Procedural History

On April 20, 2007, the Staff of the Missouri Public Service Commission filed its *Motion to Approve Transfer of Assets of Swiss Villa Utilities, Inc. to the Black Oak Mountain Resort Property Owners Association* ("original motion") requesting that the Commission approve a transfer of the assets of Swiss Villa Utilities, Inc., to the Black Oak Mountain Resort Property Owners Association ("Black Oak POA"). In the alternative, Staff requested permission to appoint a system receiver. The Commission issued notice and set a date for

intervention requests. The Commission also joined as necessary parties Swiss Villa, Black Oak POA, S.V. Holding, Inc., Quannah Corporation, and the County Commission of Stone County, all of which had some interest in the matter. There were no requests for a hearing or to intervene.

In its original motion, Staff related that some of the essential requirements supporting the asset transfer were not in place and that it was working with Black Oak POA to remedy those deficiencies. Thus, the Commission directed Staff to file monthly status reports of its progress and notify the Commission when all the necessary requirements had been met. Staff subsequently filed numerous status reports. In addition, on October 1, 2009, the Commission joined Black Oak Mountain Water Company (“Black Oak Water”) and Black Oak Mountain Sewer Company (“Black Oak Sewer”) as parties.

On December 30, 2009, Staff filed the current motion in this matter, *Motion to Approve a Transfer of Utility Assets from Quannah Corporation, S.V. Holding, Inc., Swiss Villa Utilities, Inc., and the County Commission of Stone County to the Black Oak Mountain Water Company and the Black Oak Mountain Sewer Company*. As the title suggests, Staff’s motion requests that any interest the listed parties may have in Swiss Villa be transferred to the newly created Black Oak Water and Black Oak Sewer.

Corporate Entities

1. Swiss Villa Utilities, Inc. was a “public utility,” a “water corporation,” and a “sewer corporation,” as those terms are defined in Section 386.020, RSMo 2000.¹

¹ All statutory references are to the Missouri Revised Statutes 2000, unless otherwise noted.

2. On June 28, 1983, the Commission granted Swiss Villa certificates of public convenience and necessity to provide water and sewer services in a portion of Stone County, Missouri.²

3. Swiss Villa was formerly owned by Capital Services and Investments, Inc., which entered Chapter 11 Bankruptcy proceedings.

4. In July 1994, Quanah obtained the assets of Swiss Villa, including those related to providing utility service.

5. Subsequently, the stock of Swiss Villa was transferred to S.V. Holding (a not-for-profit corporation), as assignee of Quanah, with Quanah retaining some interest in the real property associated with the system.

6. In February 2004, the Board of Directors of Swiss Villa (“the Board”) resigned without replacement. At that time, the Board incorrectly and independently determined that because Swiss Villa was owned by a not-for-profit corporation, it was no longer regulated by the Commission.

7. Since the Board resigned, Deal & Associates of Springfield, Missouri, has collected system revenues, though indicating that it is largely operating “without direction.” An operator has continued to do basic maintenance on the system, but is similarly proceeding without guidance.³

8. On September 9, 2005, Swiss Villa was administratively dissolved by the Office of the Missouri Secretary of State for failure to file its annual report.

² See File Nos. WA-83-75 and SA-83-76.

³ Staff includes greater detail about the operations of the company in Appendix A to the current motion.

9. On January 5, 2006, S.V. Holding was administratively dissolved by the Office of the Missouri Secretary of State for failure to file its annual report.

10. Quanah is currently listed as in “Good Standing” with the Office of the Missouri Secretary of State.

11. The Commission currently has an outstanding judgment against Swiss Villa in the amount of \$84,600, related to its failure to file annual reports with this Commission and to submit its Commission assessments.

12. The system is currently operating with a Missouri Department of Natural Resources (“DNR”) discharge permit which expired in 2008. DNR is in the process of mandating system improvements, which will likely result in an upgrade to the sewage treatment plant.

13. In October 2006, Staff was informed by the members of the Black Oak POA that it had voted to “take over” the utility system. Staff filed its original motion to assist with that objective.

14. Over the course of completing the necessary steps to transfer the utility assets to the Black Oak POA, the concept of creating nonprofit corporations under the control of the Black Oak POA emerged. Thus, individuals involved with Black Oak POA initiated an effort to form separate nonprofit water and sewer entities to be operated under the authority of the Black Oak POA, with the intent to have the resulting entity serve as the transferee of the system assets.

15. On July 10, 2009, the incorporators of Black Oak Water and Black Oak Sewer filed with the Office of the Missouri Secretary of State the documents necessary to incorporate Black Oak Water and Black Oak Sewer.

16. Both corporations are currently listed as in “Good Standing” with the Office of the Missouri Secretary of State.

17. Staff recommended in its current motion that the Commission approve the transfer to Black Oak Water and Black Oak Sewer.

18. Prior to and including the time in which the not-for-profit corporations were formed, Stone County established a neighborhood improvement district (“NID”) and constructed publicly-funded improvements to the water and sewer systems in the Swiss Villa service territory. In exchange for these improvements, a Quit Claim deed was executed on December 18, 2003, purporting to transfer the real estate used in providing water and sewer service from Quanah to Stone County to hold in trust until the bonds issued to pay for the improvements are retired, and as trustee for the property owners within the NID itself.⁴

19. On July 21, 2007, Quanah also executed a Quit Claim Deed to “Black Oak Mountain Utility Board” purporting to grant any remaining interest in the utility system property.

20. Due to the nature of the NID, and the conveyance of interests resulting from its establishment, Staff had concerns about the ability of any entity receiving the assets to demonstrate it had access to the real property. For this reason, the Black Oak POA and Stone County entered into a Non-Exclusive Lease of Real Property, Sanitary Sewer Collection and Treatment System, and Water Supply System (“lease”). The lease was

⁴ Although the Quit Claim deed executed by Quanah to Stone County purports to release any interest in the utility systems previously held by Quanah, Staff included Quanah in its current motion, and the Commission includes it in this order, as a named asset transferor in order to be certain that all necessary approvals for the transfer of this system are granted.

approved by Stone County on April 24, 2007, and executed by Black Oak POA on May 26, 2007.

21. After formation and incorporation of Black Oak Water and Black Oak Sewer, a sublease from Black Oak POA to Black Oak Water and Black Oak Sewer was approved by Stone County on October 6, 2009, and executed by Black Oak POA and the water and sewer Companies on October 31, 2009.

22. Although Staff included in its current motion a request for authority to transfer the assets of Stone County to Black Oak Water and Black Oak Sewer, it is unclear what Stone County's interests are. As contained in the lease, drafted by Stone County, "[t]he County's interests in some of the Systems were conveyed to it, and the County does not know the nature or quality of those interests[.]"⁵ Under the terms of the lease and the sublease, however, Stone County will convey its interests to Black Oak Water and Black Oak Sewer upon discharge of the NID debt. Therefore, included in this order is authority to transfer any interest held from Stone County to the water and sewer companies.

23. Staff has recommended from the beginning of this case that a capable entity be placed in charge of this water and sewer system. As stated in the Memorandum attached to the current motion, "[u]nder the facts presented in this case, Staff believed, and continues to believe, that some action needs to be taken in an attempt to reach a solution to the problems facing the [water and sewer] systems, and more importantly, [their] customers."

⁵ Attachment H to Appendix A of the Motion to Approve a Transfer of Utility Assets from Quanah Corporation, S.V. Holding, Inc., Swiss Villa Utilities, Inc., and the County Commission of Stone County to the Black Oak Mountain Water Company and the Black Oak Mountain Sewer Company, filed December 30, 2009.

24. Staff further stated that it believes the transfer of assets from Swiss Villa, Quanah, S.V. Holding, and Stone County to Black Oak Water and Black Oak Sewer would not be detrimental to the public interest. In addition, Staff believes that Black Oak Water and Black Oak Sewer are in a “position to modify customer rates in an equitable manner, as may be required in the future.”

Applicable Law

1. Section 393.190.1. provides in relevant part as follows:

No . . . water corporation or sewer corporation shall hereafter sell, assign, lease, transfer, mortgage or otherwise dispose of or encumber the whole or any part of its franchise, works or system, necessary or useful in the performance of its duties to the public, nor by any means, direct or indirect, merge or consolidate such works or system, or franchises, or any part thereof, with any other corporation, person or public utility, without having first secured from the commission an order authorizing it so to do

2. Relevant case law provides that the Commission may approve an asset transfer if it is “not detrimental to the public interest.”⁶

3. Section 393.900 provides that certain nonprofit, membership corporations may be organized only for the purpose of supplying water for distribution, for wholesale, and for treatment services within the State of Missouri. Section 393.933.2 provides that “[t]he public service commission shall not have jurisdiction over the construction, maintenance or operation of the water facilities, service, rates, financing, accounting or management of any nonprofit water company”

4. Similarly, Section 393.825.1 provides that certain nonprofit, membership corporations may be organized only for the purpose of supplying wastewater disposal and

⁶ See *State ex Rel Fee Fee Trunk Sewer, Inc. v. Litz*, 596 S.W.2d 466, 468 (Mo. App. E.D. 1980).

treatment services within the State of Missouri. Section 393.847.2 provides that “[t]he public service commission shall not have jurisdiction over the construction, maintenance or operation of the wastewater facilities, service, rates, financing, accounting or management of any nonprofit sewer company.”

5. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence.⁷ Therefore, the Commission may grant the request based on the verified motions after affording notice and an opportunity to be heard.

Decision

After considering the verified motions of Staff and their attachments, including the recommendation of Staff, and the lack of opposition from any of the parties, the Commission concludes that the proposed transfers will “not [be] detrimental to the public interest.”⁸ In fact, the Commission determines that having a stable and concerned nonprofit corporation controlled by the homeowners association is in the public interest. The transfers are approved.

The Commission also orders that the certificates of service authority held by Swiss Villa along with the tariffs on file pertaining to that system shall be canceled. In addition, Staff is relieved of its obligation to file monthly status reports.

Finally, because this system has a history of issues with DNR, the Commission will direct that a courtesy copy of this order be sent to DNR.

⁷ See *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. W.D. 1989).

⁸ *State ex rel. Fee Fee Trunk Sewer, Inc. v. Litz*, 596 S.W.2d 466, 468 (Mo. App. E.D. 1980).

THE COMMISSION ORDERS THAT:

1. The *Motion to Approve a Transfer of Utility Assets from Quannah Corporation, S.V. Holding, Inc., Swiss Villa Utilities, Inc., and the County Commission of Stone County to the Black Oak Mountain Water Company and the Black Oak Mountain Sewer Company* filed by the Staff of the Missouri Public Service Commission on December 30, 2009, is granted.

2. The transfer of utility assets from Swiss Villa Utilities, Inc., Quannah Corporation, S.V. Holding, Inc., and Stone County to the Black Oak Mountain Water Company and the Black Oak Mountain Sewer Company is approved.

3. All parties are authorized to execute, enter into, deliver and perform any agreements, and to do any and all other things not contrary to law or the rules and regulations of the Commission incidental, necessary or appropriate to consummate these transactions.

4. The certificates of convenience and necessity previously issued by the Commission to Swiss Villa Utilities, Inc., in Case Nos. WA-83-75 and SA-83-76 are canceled.

5. The tariffs of Swiss Villa Utilities, Inc., are canceled. Those tariffs are: P.S.C.MO. No. 1 (Water), Tariff File No. JW-2002-0089; and P.S.C.MO. No. 1 (Sewer), Tariff File No. JS-2002-0090.

6. The Staff of the Missouri Public Service Commission is relieved of its obligation to file monthly status reports.

7. The Data Center of the Missouri Public Service Commission shall send a courtesy copy of this order to the Missouri Department of Natural Resources.

8. This order shall become effective on February 13, 2010.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', written over a horizontal line.

Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett,
Gunn, and Kenney, CC., concur.

Dippell, Deputy Chief Regulatory Law Judge

FORM NO. 13

P.S.C.MO. No. 1

1st

{~~Original~~}
 {Revised}
 {Original}
 {Revised}

SHEET No. A

Cancelling P.S.C.MO. No. _____

1st

{~~Original~~}
 {Revised}

SHEET No. A

SWISS VILLA UTILITIES, INC.

SWISS VILLA RESORT

Name of Issuing Corporation

For

Community, Town or City

SEWER SERVICE

RECEIVED

SEWER SERVICE SCHEDULE

MAR 29 1993

INDEX

MO. PUBLIC SERVICE COMM.

TITLE

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22

*Indicates new rate or text
 +Indicates change

FILED

MAY 13 1993

MO. PUBLIC SERVICE COMM.

DATE OF ISSUE March 19, 1993DATE EFFECTIVE APRIL 28, 1993

P.O. BOX 27

month day year

ISSUED BY

Don Samson
 DON SAMSON, TRUSTEE

TRUSTEE

LAMPE, MO 65681

title

address

CANCELLED
 February 13, 2010
 Missouri Public
 Service Commission
 WO-2007-0410; JS-2002-0090

Swiss Villa Utilities, Inc.
Name of Issuing CorporationFor Swiss Villa Resort
Community, Town or CitySEWER SERVICE
INDEX

RECEIVED

AUG 26 1983

MISSOURI
Public Service Commission

Sheet

TITLE

Map of Service Area

Legal Description of Service Area

Sewer Service Schedule

Rule 1 - General

Rule 2 -Definitions

Rule 3 -Liability of Company

Rule 4 -Applications for Service

Rule 5 -Inside Piping and Customer Service Service

Rule 6 -Improper or Excessive Use

Rule 7 -Discontinuance of Service by Company

Rule 8 -Interruptions in Service

Rule 9 -Bills for Service

Rule 10 -Service Charges

Rule 11 -Special Contract for Excessive Capacity

Rule 12 -Extension of Collecting Sewers

CANCELLED

MAY 13 1993

BY 1st R.S. & APublic Service Commission
MISSOURI*Indicates new rate or text
+Indicates change

FILED

OCT - 1 1983

Public Service Commission

DATE OF ISSUE August 25, 1983 DATE EFFECTIVE October 1, 1983
month day year month day yearISSUED BY William J. Peltz President PO Box 27 Lampe, Mo 65681
name of officer title addressCANCELLED
February 13, 2010
Missouri Public
Service Commission
MO-2007-0410; JS-2002-0090

{ Original
Revised
Original
Revised }

SHEET No. 1

Cancelling P.S.C.MO. No.

{ Original
Revised }

SHEET No.

Swiss Villa Utilities, Inc.

For

Swiss Villa Resort

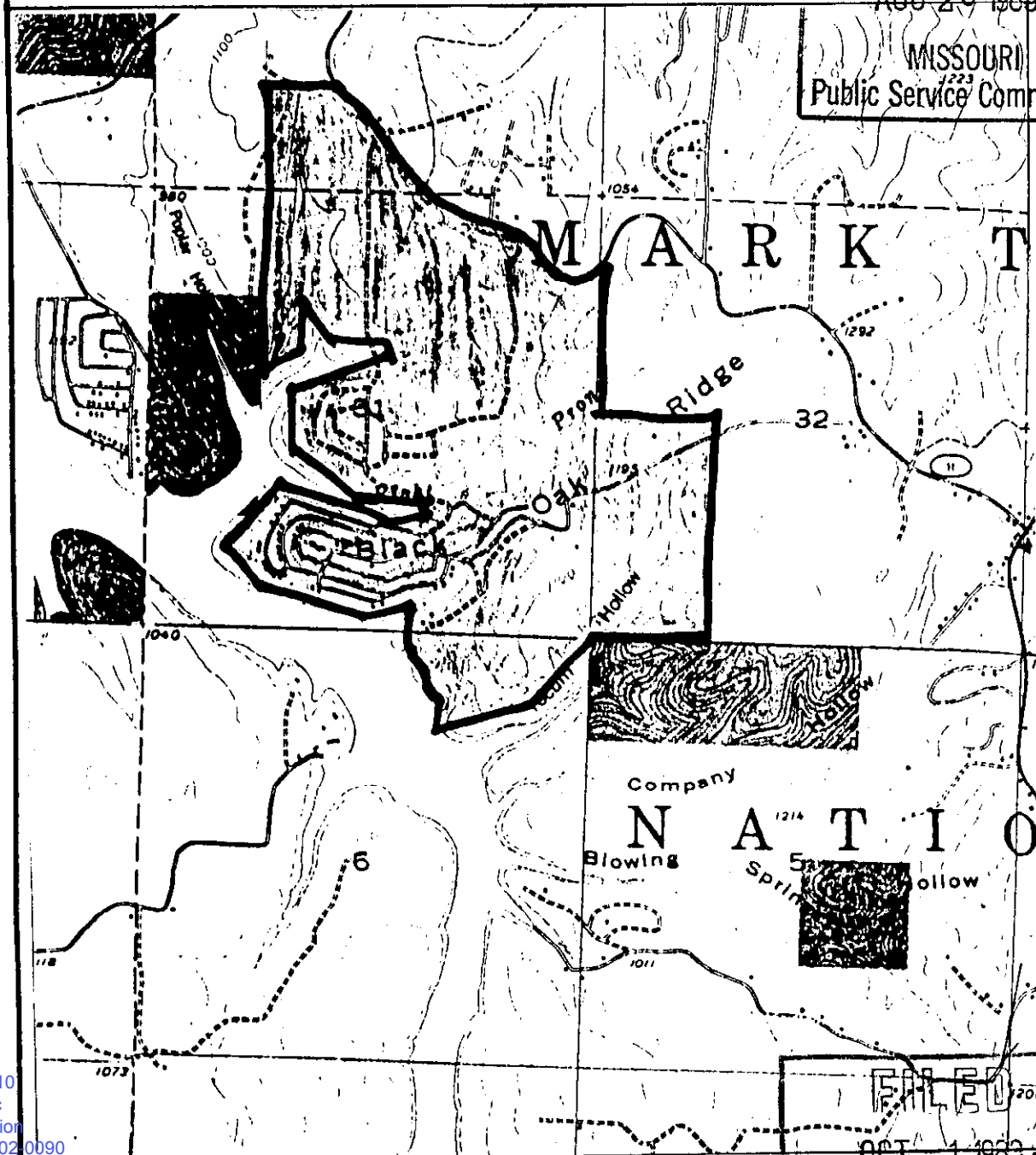
Name of Issuing Corporation

Community, Town or City

SEWER SERVICE

RECEIVED

AUG 26 1983

MISSOURI
Public Service Commission

Swiss Villa Utilities, Inc.

For _____

Swiss Villa Resort

Name of Issuing Corporation

Community, Town or City

SEWER SERVICE

RECEIVED

A part of Sections 30, 31 and 32 of Township 22 North,
Range 23 West and a part of Section 6, Township 21
North, Range 23 West, Stone County, Missouri, being
more particularly described as follows:

AUG 26 1983

MISSOURI
Public Service Commission

Beginning at the Southwest corner of the SE 1/4 of the
SW 1/4 of said Section 30; thence North along the West
line thereof to the Northwest corner of said SE 1/4 of
the SW 1/4; thence East along the North line thereof to
a point on the Southerly R/W of Missouri State Highway
No. "H", as now located; thence Easterly along said
Southerly R/W to a point on the East line of said
Section 31; thence South along said East line to the W
1/4 corner of said Section 32; thence East along the
North line of the SW 1/4 of said Section 32 to the
Northeast corner of the W 1/2 of the SW 1/4 of said
Section 32; thence South along the East line of said W
1/2 of the SW 1/4 to the Southeast corner of said W 1/2
of the SW 1/4; thence West along the South line thereof
to the Southwest corner of said Section 32; thence
South along the East line of said Section 6 to the
Northeast corner of the S 1/2 of the NE 1/4 of the NE
1/4 of the NE 1/4 of the NE 1/4 of said Section 6;
thence Southwesterly to the Northeast corner of the S
1/2 of the NE 1/4 of the SW 1/4 of said NE 1/4 of the
NE 1/4; thence Southwesterly to the Southeast corner of
the N 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4 of
the NE 1/4 of said Section 6; thence North to the
Southeast corner of the SW 1/4 of the NE 1/4 of the NW
1/4 of the NE 1/4; thence Northwesterly to the
Southeast corner of the NE 1/4 of the NW 1/4 of said NW
1/4 of the NE 1/4; thence North to the Northeast corner
of the NE 1/4 of the NW 1/4 of said NW 1/4 of the NE
1/4; thence West along the North line of said Section 6
and the South line of said Section 31 to the Southeast
corner of the W 1/2 of the SE 1/4 of the SW 1/4 of the
SW 1/4 of the SE 1/4 of said Section 31; thence North
to the Center of the NE 1/4 of the SW 1/4 of said SW
1/4 of the SE 1/4; thence West to the Northeast corner
of the S 1/2 of the NW 1/4 of the SW 1/4 of said SW 1/4
of the SE 1/4; thence Southwesterly to the Northwest

RECEIVED

OCT - 1 1983

*Indicates new rate or text

+Indicates change

Public Service Commission

DATE OF ISSUE August 25, 1983
month day yearDATE EFFECTIVE October 1, 1983
month day yearISSUED BY William A. Bates, President
name of officerP.O. Box 27, Lampe, MO 65681
title addressCANCELLED
February 13, 2010
Missouri Public

Service Commission

WO-2007-0410; JS-2002-0090

Cancelling P.S.C.MO. No.

{ Original
Revised }

SHEET No.

Swiss Villa Utilities, Inc.

For

Swiss Villa Resort

Name of Issuing Corporation

Community, Town or City

SEWER SERVICE

RECEIVED

corner of the SW 1/4 of the SW 1/4 of said SW 1/4 of the SE 1/4; thence Northwesterly to the Southeast corner of the NE 1/4 of the S 1/2 of Lot 2 of the SW 1/4 of said Section 31; thence Northwesterly to the Center of the NE 1/4 of the S 1/2 of Lot 2 of said SW 1/4; thence Northeasterly to the Southwest corner of the N 1/2 of Lot 1 of said SW 1/4; thence Northeasterly to the Northwest corner of the E 1/2 of the SW 1/4 of the SW 1/4 of the N 1/2 of Lot 1 of said SW 1/4; thence Southeasterly to the Southeast corner of the N 1/2 of Lot 1 of said SW 1/4; thence Northeasterly to the Center of the SE 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4 of said Section 31; thence North to the Northeast corner of the W 1/2 of the SE 1/4 of the SW 1/4 of said NW 1/4 of the SE 1/4; thence West to the Northwest corner of the SW 1/4 of the SW 1/4 of said NW 1/4 of the SE 1/4; thence Northwesterly to the Southwest corner of the N 1/2 of the SW 1/4 of the NW 1/4 of the N 1/2 of Lot 1 of the SW 1/4 of said Section 31; thence North to the Southwest corner of the SE 1/4 of the SW 1/4 of the S 1/2 of Lot 1 of the NW 1/4 of said Section 31; thence Northeasterly to the Southwest corner of the E 1/2 of the NE 1/4 of the SW 1/4 of the S 1/2 of Lot 1 of said NW 1/4; thence Northeasterly to the Southwest corner of the N 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4 of said Section 31; thence Northeasterly to the Southeast corner of the W 1/2 of the SW 1/4 of the NW 1/4 of said SW 1/4 of the NE 1/4; thence Northwesterly to the Northwest corner of the S 1/2 of the SW 1/4 of the NW 1/4 of said SW 1/4 of the NE 1/4; thence West to the Center of the SW 1/4 of the NE 1/4 of the S 1/2 of Lot 1 of the NW 1/4 of said Section 31; thence Northwesterly to the Northeast corner of the W 1/2 of the NE 1/4 of the NW 1/4 of the S 1/2 of Lot 1 of said NW 1/4; thence Southwesterly to the Northeast corner of the NE 1/4 of the SW 1/4 of the S 1/2 of Lot 1 of said NW 1/4; thence Southwesterly to the Northwest corner of the S 1/2 of the NW 1/4 of the SW 1/4 of Lot 1 of said NW 1/4; thence North along the West line of the E 1/2 of said NW 1/4 to the point of beginning.

FILED

AUG 26 1983

Public Service Commission

*Indicates new rate or text

+Indicates change

DATE OF ISSUE August 25, 1983
month day yearDATE EFFECTIVE October 1, 1983
month day yearISSUED BY William A. Bates, President
name of officerP.O. Box 27, Lampe, MO 65681
title address

CANCELLED

February 13, 2010

Missouri Public

Service Commission

WO-2007-0410; JS-2002-0090

FORM NO. 13 P.S.C.MO. No. 1 1st ~~(Original)~~ SHEET No. 3

Cancelling P.S.C.MO. No. 1 ~~(Revised)~~ ~~(Original)~~ SHEET No. 3

Swiss Villa Utilities, Inc. For Swiss Villa Resort
Name of Issuing Corporation Community, Town or City

SERVICE SERVICE

Sewer Service Schedule

RECEIVED

APR 10 1985

MISSOURI
Public Service Commission

RESIDENTIAL CUSTOMERS

All Residential Classes

- \$12.95 per month

COMMERCIAL CUSTOMERS

Existing single commercial customer

-\$388.50 per month

Other commercial customers

-None

CANCELLED

February 13, 2010

Missouri Public

Service Commission

WO-2007-0410; JS-2002-0090

FILED

MAY 10 1985

Public Service Commission

*Indicates new rate or text

+Indicates change

DATE OF ISSUE April 10, 1985 DATE EFFECTIVE May 10, 1985
month day year month day year

ISSUED BY William A. Hayes, President P.O. Box 27, Lampe, MO 65681
name of officer title address

Swiss Villa Utilities, Inc.

For

Swiss Villa Resort

Name of Issuing Corporation

Community, Town or City

SEWER SERVICE

SEWER SERVICE SCHEDULE

RECEIVED

AUG 26 1983

RESIDENTIAL CUSTOMERS

INTERIM RATE

MISSOURI

Public Service Commission

All Residential Classes

-\$12.95 per month

COMMERCIAL CUSTOMERS

Existing single commercial customer

-\$388.50 per month

Other commercial customers

-None

CANCELLED

MAY 10 1985

BY 1st RS 3
PUBLIC SERVICE COMMISSION
OF MISSOURI

FILED

OCT - 1 1983

Public Service Commission

*Indicates new rate or text

+Indicates change

DATE OF ISSUE August 25, 1983
month day yearDATE EFFECTIVE October 1, 1983
month day yearISSUED BY William A. Bates,
name of officerPresident
titleP.O. Box 27, Lampe, Mo.
address 65681

CANCELLED

February 13, 2010

Missouri Public

Service Commission

MO-2007-0410; JS-2002-0090

Cancelling P.S.C.MO. No. 1

~~Revised~~

Original

SHEET No. 3A

~~Revised~~

Swiss Villa Utilities Inc

For Swiss Villa Res

Name of Issuing Corporation

Community, Town or City

OCT 18 1995

Sewer Service Schedule (Cont.)

MO. PUBLIC SERVICE COMM.

EIERA Loan Repayment Surcharge: A Monthly surcharge of \$0.75 will be added to each residential customer's bill and a monthly surcharge of \$6.00 will be added to each commercial customer's bill. The proceeds from these surcharges will be accounted for separately from other Company funds and will be used solely for making the regularly scheduled monthly principal and interest payments on the Company's EIERA loan. Any proceeds from these surcharges that are in excess of the regularly scheduled monthly EIERA loan payment will be used for prepayment of the principal balance of the EIERA loan. In the event the proceeds from these surcharges are not sufficient to make the regularly scheduled monthly EIERA loan payment, the balance of the payment will be made using other Company funds. These surcharges are subject to change on an annual basis dependent upon changes in the number of customers, billing and collection history, or for other such good cause as the Commission may order. These surcharges will terminate when the EIERA loan approved in Case No. SF-94-350 is paid off or on July 2, 1999, whichever shall first occur.

FILED

NOV 17 1995

MISSOURI

Public Service Commission

DATE OF ISSUE October 10, 1995

DATE EFFECTIVE November 17, 1995

ISSUED BY

Stuart Scott

Stuart Scott Gen. Mgr

P.O. Box 27

name of officer

title

Lampe address 65681

CANCELLED

February 13, 2010

Missouri Public

Service Commission

WO-2007-0410; JS-2002-0090

*Indicates new rate or text

+Indicates change

FORM NO. 13 P.S.C.MO. No. 1 { Original } SHEET No. 3A
 { Revised }
Cancelling P.S.C.MO. No. _____ { Original } SHEET No. _____
 { Revised }

Swiss Villa Utilities, Inc. For Swiss Villa Resort
Name of Issuing Corporation Community, Town or City

RECEIVED

Sewer Service Schedule (Cont.)

JUN 2 1994

Monthly surcharge per residential customer \$0.75

MO. PUBLIC SERVICE COMM.

Monthly surcharge per existing commercial customer \$6.00

This surcharge may be changed annually by the filing of a revision of this tariff sheet when the number of customers changes significantly from 127. The surcharge will terminate when principal and interest on the \$5,000 EIERA loan approved in Case No. SF-94-350 have been paid for by customers or 5 years from the effective date of this sheet.

CANCELLED

NOV 17 1995
BY 1st P.S. # 3A
Public Service Commission
MISSOURI

*Indicates new rate or text

+Indicates change

JUL 2 1994
94 - 350 94 - 365
MO. PUBLIC SERVICE COMM.

DATE OF ISSUE June 2, 1994 DATE EFFECTIVE July 2, 1994
month day year month day year

ISSUED BY DONALD M. SAMSON, Trustee President 120 W. Main St.
name of officer title address

Belleville, IL 62220

CANCELLED
February 13, 2010
Missouri Public
Service Commission
WO-2007-0410; JS-2002-0090

Cancelling P.S.C.MO. No. _____

{ Original } SHEET No. _____
{ Revised }Swiss Villa Utilities, Inc.
Name of Issuing CorporationFor Swiss Villa Resort
Community, Town or City

SEWER SERVICE

RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

RECEIVED

AUG 26 1983

MISSOURI

Public Service Commission

Rule 1 GENERAL

- (a) Every customer, upon signing an application for service rendered by the Company shall be considered to have expressed consent to be bound by these rates, rules and regulations.
- (b) The Company's rules and regulations governing rendering of service are set forth in these numbered sheets. The rates applicable to appropriate service or rate determination areas are set forth in rate schedules and constitutes a part of these rules and regulations.
- (c) The Company reserves the right, subject to authority of the Public Service Commission of Missouri, to prescribe additional rates, rules or regulations or to alter existing rates, rules or regulations as it may from time to time deem necessary or proper.
- (d) At the effective date of these rules and regulations, all new and existing facilities, construction contracts, and written agreements shall conform to these rules and regulations in accordance with the Statutes of the State of Missouri and authority of the Public Service Commission of Missouri.

FILED

OCT - 1 1983

Public Service Commission

*Indicates new rate or text
+Indicates change

DATE OF ISSUE August 25, 1983 DATE EFFECTIVE October 1, 1983
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WO-2007-0410; JS-2002-0090

Cancelling P.S.C.MO. No. _____

Swiss Villa Utilities, Inc. For
Name of Issuing Corporation.Swiss Villa Resort
Community, Town or City

SEWER SERVICE

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MISSOURI
Public Service CommissionRule 2 DEFINITIONS

- (a) The "COMPANY" is Swiss Villa Utilities, Inc., acting through its officers, managers, or other duly authorized employees or agents.
- (b) The "CUSTOMER" is any person, firm, corporation or governmental body which has contracted with the Company for water or sewer service or is receiving either service from the Company, or whose facilities are connected for utilizing such service.
- (c) The word "UNIT" shall be used herein to define the standard user or property serviced and shall include any building whether residential or commercial, owned leased, and mobile homes or multi-family properties are considered as separate units for each single family or firm occupying same as a residence of any description or place of business.
- (d) a "COLLECTING SEWER" is a pipeline which is owned and maintained by the Company, located on public property or on private easements, and used to transport sewage waste to a central point for disposal.
- (e) A "CUSTOMER'S SERVICE SEWER" is a pipe with appurtenances installed, owned and maintained by the customer, used to conduct sewage from the customer's premises to the collecting sewer.
- (f) A "SERVICE CONNECTION" is the point at which the customer's service sewer is connected to the collecting sewer.

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Rule 2 DEFINITIONS (Continued)

- (g) The "DATE OF CONNECTION" shall be the date of the permit for installation and connection issued by the Company. In the event no permit is taken and a connection is made, the date of connection shall be the date of commencement of construction upon the property.
- (h) "DOMESTIC SEWAGE" is sewage, excluding storm and surface water, resulting from normal household activities.
- (i) "NON-DOMESTIC SEWAGE". All sewage other than domestic sewage, including, but not limited to, commercial or industrial wastes. (See Rule 6 pertaining to Improper Waste and Excessive Use.)
- (j) "FOUNDATION DRAIN". A pipe installed inside or outside the foundation of a structure for the purpose of draining ground or subsurface water away from the foundation.
- (k) "PH". The relative degree of acidity or alkalinity of water as indicated by the hydrogen ion concentration. PH is indicated on a scale reading from 1-14, with 7 being neutral, below 7 acid, and above 7 alkaline; more technically defined as the logarithm of the reciprocal of the hydrogen ion concentration.
- (l) "B.O.D." (Denotes Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions expressed in milligrams per liter.
- (m) "SUSPENDED SOLIDS." The concentration of insoluble materials suspended or dispersed in waste expressed in milligrams per liter on a dry weight basis as determined by standard procedures.

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FORM NO. 13

P.S.C.MO. No. 1{ Original }
{ Revised }SHEET No. 6a

Cancelling P.S.C.MO. No. _____

{ Original }
{ Revised }

SHEET No. _____

SWISS VILLA UTILITIES, INC.

Name of Issuing Corporation

For SWISS VILLA RESORT

Community, Town or City

SEWER SERVICE

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SEWER SERVICE SCHEDULE

MAR 29 1993

MO. PUBLIC SERVICE COMM.

Rule 2

- n) "Small Diameter Gravity Sewer Collection System" - a gravity sewer system constructed of diameter smaller than 8", and designed to accept effluent from a septic tank on each customers' premises.

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DONALD M. SAMSON

name of officer

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title

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address

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Swiss Villa Utilities, Inc.

For

Swiss Villa Resort

Name of Issuing Corporation

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RULES AND REGULATIONS GOVERNING
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Rule 3 LIABILITY OF THE COMPANY

- (a) Employees or agents of the Company are expressly forbidden to demand or accept any compensation for any service rendered to its Customers except as covered in the Company's rules and regulations.
- (b) No employee or agent of the Company shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter or intent of these rules and regulations.

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Rule 4 APPLICATIONS FOR SERVICE

- (a) A written application for service, signed by the Customer, accompanied by the appropriate fees and other information requested by these rules and regulations, will be required from each Customer before service is provided to any premises. Said application must state the name of the owner of said premises and, in the case of a commercial Customer, must also state the quantity and strength of effluent to be discharged from said premises into the Company's sewer system. Every Customer upon signing an application for any service rendered by the Company or upon taking of service, shall be considered to have expressed consent to the Company's rates, rules and regulations. The Company shall have the right to reject any application for failure to comply with the rules and regulations herein. In any case, where unusual construction or equipment expense is necessary to furnish the service, the Company may require a contract for such reasonable period of time as is specified by the Company at the time of the making of such contract.
- (b) A commercial or industrial Customer shall, upon request of the Company, present in writing to the Company a list of the devices which are to be attached to the Company's lines, giving the location of any buildings. The Company will then advise the form and the character of the water and waste collection facilities available.
- (c) No substantial addition to the water using equipment or appliances connected to the sewer system of the Company shall be made except upon written notice to and with the written consent of the Company.

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Rule 4 APPLICATIONS FOR SERVICE (Continued)

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Public Service Commission

- (d) Any change in the location of an existing service connections requested by the Customer shall be made at his expense.
- (e) Customer service connections will not be extended along public streets or roadways or through property of others in connecting with collecting sewers. If a service connection is requested at a point not already served by a collecting sewer of adequate capacity, the collecting sewer shall be extended as may be necessary.
- (f) New service connections shall be authorized when a contribution-in-aid of construction is paid to the Company based on Rule 12 as herein provided.
- (g) When a service is to be connected the plumber employed by the Customer shall obtain the connecting accessories from the Company. The plumber shall advise the Company when he expects to have service installed so a representative of the Company can inspect the installation.
- (h) When water usage determines sewer charges then the Company reserves the right to refuse sewer service to any applicant unless said applicant agrees to install a water meter accessible to the Company, in order that there will be a basis for sewer charges.

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{ Original } SHEET No. _____
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Rule 5 INSIDE PIPING AND CUSTOMER SERVICE SEWERS

- (a) The Customer will provide the Service expense and risk. As a condition of service, inside requirements of all governmental units having jurisdiction and the Company's Rules and Regulations, must be met at the time of connection to the system. The Company shall deny service or may discontinue service where footing drains, downspouts, or other sources of surface or storm water are permitted to enter the sewer system through either the inside piping or through the building sewer.
- (b) A separate and independent Customer Service Sewer shall be required for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the Customer's service sewer from the front building may be extended to the rear building and the whole considered as one Customer's Service sewer.
- (c) Existing service sewers may be used in connection with new buildings only when they are found on examination and test to meet all requirements of the Company.
- (d) The Customer's service sewer shall be cast iron soil pipe, ASTM specification or equal; vitrified clay sewer pipe, ASTM specification or equal; or other suitable material approved by the Company. Joints shall be tight and waterproof. Any part of the Customer's service sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipes with leaded joints may be required where the Customer's service sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the Customer's service sewer shall be of cast iron soil pipe, except that non-

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MISSOURI
Public Service CommissionRule 5 INSIDE PIPING AND CUSTOMER SERVICE SEWERS
(Continued)

metallic material may be accepted if laid on a suitable bed or cradle as approved by the Company.

- (e) The size and slope of the Customer's service sewer shall be subject to the approval of the Company, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot.
- (f) Whenever possible the Customer's service sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall. The depth shall be sufficient to afford protection from frost. The Customer's service sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.
- (g) In all buildings in which any building drain is too low to permit adequate gravity flow to the collecting sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water operated sewage ejector shall be used.
- (h) All excavations required for the installation of a Customer's service sewer shall be open trench work unless otherwise approved by the Company. Pipe laying and backfill shall be performed in accordance with the latest published Engineering Specifications of the Manufacturer of the materials used and all applicable local plumbing codes, except that no backfill shall be placed until the work has been inspected by the Company. Only those jointing materials and methods which are approved by the Company may be used.

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Rule 5

INSIDE PIPING AND CUSTOMER SERVICE SEWERS
(Continued)

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Public Service Commission

- (i) The connection of the Customer's service sewer into the main shall be made at the "Y" branch, if such branch is available at a suitable location. If the Company's main is twelve (12) inches in diameter or less and there is no properly located "Y" branch in the Company's main at the location specified by the Company, a "Y" branch must be installed. Where the Company's main is greater than twelve (12) inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut in the Company's sewer to receive a saddle, to which the Customer's service sewer will be connected. The invert of the Customer's service sewer at the point of connection shall be at the centerline or higher elevation than the invert of the Company's collecting sewer. A smooth neat joint shall be made, and the connection made secure and watertight by encasement in concrete.
- (j) The Customer is obligated to construct, repair and maintain the sewer service from the collecting sewer to the building of the applicant and such construction and maintenance by the Customer shall be subject to the approval of an authorized inspector of the Company and shall be in accordance with these Rules and Regulations as well as construction information of the Company in force at that time.
- (k) The Company will locate the point to which service sewer connection will be made and the Company will furnish a "Y" branch, when a "Y" has not previously been installed, or other outlet at the collecting sewer which shall be located in the public right-of-way or Company easement. All taps are to be made by licensed plumbers, subject to inspection and approval by the Company. An application shall be accompanied by an inspection fee on new service of \$10.00, must be filed in writing 24 hours in advance stating the

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SEWER SERVICE

RULES AND REGULATION GOVERNING

RENDERING OF SERVICE

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exact location where service is desired, name of applicant, name of property owner, and time at which tap is to made. The Company will not be required to supply sewer service until each such tap has been inspected and approved by it. In the event the Customer or the Customer's agent shall damage a "Y" branch or go onto the public right-of-way or Company easement and cause damage to the main, then the Customer shall be responsible for the cost of repair or replacing any such damage.

Rule 6 IMPROPER OR EXCESSIVE USE

- (a) The following requirements for the use of sewer service provided by the Company shall be observed. Violation of the requirements will result in the discontinuance of service to the Customer or an additional charge for excess load, or the requirement that the Customer install facilities to prevent excessive loads and other adverse impact upon the Company's system.
- (b) No person shall discharge or cause to be discharged any storm water, surface water, ground water, swimming pool waste water, roof runoff, sub-surface drainage, cooling water or polluted industrial process waters into Company's collecting sewers.
- (c) No person shall discharge or cause to be discharged any of the following described waters or wastes into the Company's collection sewers:

(1) Any liquid or vapor having a temperature higher than 150 degrees F.

(2) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.

(3) Any water or waste which may contain more than 25 parts per million, by weight, of soluble oils.

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RULES AND REGULATION GOVERNING
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or other flammable or explosive liquid, solid or gas(5) Any garbage that has not been properly
shredded.(6) Any ashes, cinders, sand, mud, straw,
shavings, metal, glass, rags, feathers, tar, plastics,
wood or any other solid or viscous substance capable
of causing obstruction to the flow in sewers or other
interference with the proper operation of the sewage
works.(7) Any water or waste having a PH lower than
5.0 or higher than 9.0, or having any other corrosive
property capable of causing damage or hazard to
structures, equipment and personnel of the sewage
works.Rule 7 DISCONTINUANCE OF SERVICE BY COMPANY(a) The Company reserves the right to shut off services
for any of the following reasons:

- (1) For failure to comply with these rules and regulations.
- (2) For nonpayment of utility bill (See Rule 9).
- (3) For resale of sewer service.
- (4) For an unauthorized sewer connection to Company mains.

(b) Discontinuance of service to a premises for violation
of these rules and regulations shall not prevent the
Company from pursuing any lawful remedy by action at
law or otherwise for the collection of moneys due
from the Customer.(c) In case the Company discontinues its service for any
violation of these rules and regulations, then any

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For _____

Swiss Villa Resort

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Public Service Commissionmoneys due the Company shall become immediately
due and payable.

(d) The Company has the right to refuse or to discontinue service to any premises to protect itself against fraud or abuse.

(e) At least thirty (30) days prior to physical discontinuance of service, the Company will mail a written notice to the Customer by registered or certified mail, return receipt requested, with a copy thereof forwarded to the Public Service Commission. Said notice shall state the violation and service may be discontinued at any time after the expiration of the notice period, provided satisfactory arrangements for continuance of the service have not been made by the Customer and the Company. This thirty (30) day notice may be waived where discharge of materials which might be detrimental to the health and safety of the public or cause damage to the sewer system of the Company is discovered. In the event of discontinuance of service to protect health and safety as above provided, the Customer and the Commission shall be notified immediately thereof with a statement concerning the reasons for such discontinuance.

Rule 8

INTERRUPTIONS IN SERVICE

(a) The Company reserves the right to limit sewer service in its collecting sewers at any time for the purpose of making repairs to the sewer system.

(b) Whenever service is limited for repairs, all Customers affected by such limitation will be notified in advance whenever it is possible to do so. Every effort will be made to minimize limitation of service.

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- (c) No refunds of charges for water service will be made for limitations of service on the basis of willful misconduct of the Company.

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Public Service Commission

- (d) In order to avoid overloading capacities of the Company's collecting sewers and treatment facilities, the Company reserves the right, at all times, to determine the limit of, and regulate, in a reasonable and nondiscriminatory manner, the maximum amounts or strength of the wastes discharged into the Company's collecting sewers.

Rule 9

BILLS FOR SERVICE

- (a) The charges for sewer service shall be at the rates specified in the applicable tariffs on file with the Missouri Public Service Commission. The point of assumption of sewer service shall be at the service connection. Service charges for connection or disconnection are set forth in Rule 10.
- (b) A Customer who has made application for service to a premise shall be held liable for all services furnished to such premise until the Customer notifies the Company in writing to discontinue such service.
- (c) Customers are liable for payment for all monthly service charges for sewer service to the premises from the date of connection until the Company is given five (5) days' notice of the date, place and time of disconnection by registered mail and the Company has had an opportunity to observe the disconnect.
- (d) Bills for sewer service will be mailed or delivered to the Customer's last address as shown by the records of the Company, but failure to

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receive the bill will not relieve the Customer
from the obligation to pay the same.MISSOURI
Public Service Commission

- (e) Payments shall be made at the office of the Company or at such other place as conveniently located as may be designated by the Company.
- (f) A separate bill shall be rendered for each Customer's sewer service.
- (g) The Company shall have the right to charge all customers on a monthly basis in arrears and all bills shall be due and payable on the due date indicated on the bill.

Rule 10

SERVICE CHARGES

- (a) An application for a service connection, or discontinuance of existing service, will be made during the Company's regular business hours without charge.
- (b) A connection of service to a specific Customer which was discontinued in accordance with Rule 7 will be at the expense of the Customer.
- (c) A serviceman call during the Company's regular business hours which results in collection of a delinquent account (in lieu of discontinuance in accordance with Rule 7) shall require the collection of the delinquent amount plus a Two dollar (\$2.00) net service charge.
- (d) A service call at any time other than during the Company's regular business hours for connection, or any other reason except a malfunction of Company facilities, shall require a service charge of Ten Dollars (\$10.00) net. In instances where such a service call is for the collection of a delinquent account, this service

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charge shall be collected in addition to any other amounts due.

- (e) Company personnel will not work upon piping or facilities not owned by the Company.

Rule 11

SPECIAL CONTRACT FOR EXCESSIVE CAPACITY

In the event that the Customer to be served proposes to discharge into Company's system an abnormally high volume or strength of waste as to require an enlargement of Company's existing sewage treatment plant or the construction of a temporary sewage treatment plant, and/or the construction or reconstruction of sewer lines, service shall be rendered to such Customer under the terms and conditions of a mutually satisfactory contract, in form approved by the Public Service Commission of Missouri, pursuant to which the cost of such improvements will be financed in such a manner as to be fair and reasonable to both parties and so as not to constitute a burden upon the Company or the existing Customers of the company.

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SEWER SERVICE

Rules and Regulations Governing
Rendering of Sewer Service

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Rule 12

Extension of Collecting Sewers

AUG 26 1983

A. This rule shall govern the extension of collecting sewers by the Company in areas where there are no collecting sewers in the street public right-of-ways or easements available to the Company. The Company will extend its collecting sewers along streets or public right-of-ways or easements available to the Company within its certificated area to serve new customers under the following terms and conditions:

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1. Upon receipt of written application(s) as required in Rule 4, the Company will provide the applicant with an estimate of the cost of the proposed extension. Said estimate shall include all labor and materials required, reconstruction of existing collecting sewers, if necessary, supervision, engineering, permits, insurance, tool expense, accounting and related expenses, and all other costs incident to the installation of said extension.

2. Applicant(s) shall enter into a contract with the Company for the installation of said extension and shall tender to the Company an advance-in-aid-of-construction equal to the amount determined in A-1 and the contract shall provide that the applicant shall be liable for the actual cost.

3. Refunds of cost of extension shall be made to applicant(s) as follows:

a. Should the actual cost of extension be less than the estimated cost, the Company shall refund the difference as soon as the actual cost has been ascertained. Should the actual cost of extension be more than the estimated cost

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CANCELLED
February 13, 2010
Missouri Public
Service Commission

WO-2007-0410; JS-2002-0090

Cancelling P.S.C.MO. No.

Swiss Villa Utilities, Inc.
Name of Issuing Corporation

For

Swiss Villa Resort
Community, Town or City

SEWER SERVICE

Rules and Regulations Governing
Rendering of Sewer Service

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AUG 26 1983

Extension of Collecting Sewers (continued)

MISSOURI

Public Service Commission

then the applicant shall pay to Company
the difference.

b. Company shall divide the actual cost of the extension by the number of lots abutting said extension to obtain the per lot extension cost. When counting lots, corner lots which abut an exiting main shall be excluded. The Company shall refund to the original applicant 20% of said amount paid which amount shall then be entered on its accounts as plant in service and the remaining 80% of the previous advancement shall be entered on its accounts as a contribution-in-aid-of-construction.

c. Each refund shall be distributed to initial applicant(s) based upon the percentage of the actual extension cost contributed by each applicant.

4. Extension made under this rule shall be and remain the property of the Company in consideration of its perpetual upkeep and maintenance.

5. The Company reserves the right to connect future extensions to this collecting sewer and the attaching of customers to such further extensions shall not entitle applicant(s) contracting for the original extension to additional refund

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OCT - 1 1983

Public Service Commission

*Indicates new rate or text
+Indicates change

DATE OF ISSUE August 25, 1983 DATE EFFECTIVE October 1, 1983
month day year month day year

ISSUED BY William A. Bates, President P.O. Box 27, Lampe MO 65681
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Extension of Collecting Sewers (continued)

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Public Service Commission

6. The pipe used in making extensions under this rule shall be of a type and size which will be reasonably adequate to supply the area to be served. Such determination as to size and type of pipe shall be left solely to the judgment of the Company. If the Company desired to make the extensions in pipe larger than reasonably required to provide service to the lots abutting said extension, the additional cost due to larger size shall be borne by the Company.

B. In the area of encompassing the Company's certificate where there are on the effective date of these tariffs, existing collecting sewers available for service to vacant lots the following rule shall govern:

1. An applicant for service shall pay to Company a contribution-in-aid-of construction in the amount of \$200.00 to connect to the collecting sewer.

2. Any amount collected by Company from applicant(s) as specified in 1. herein shall be refunded to applicant(s) unless Company shall have all the said now existing collecting sewers connected to its sewer treatment facility within 18 months from the effective date of the Report and Order issued by the Missouri Public Service Commission granting Company its Certificate of Public Convenience and Necessity.

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{ Revised }

Swiss Villa Utilities, Inc.

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SEWER SERVICE

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Extension of Collecting Sewers (continued)

AUG 26 1983

C. This rule shall govern when there is an existing collecting sewer adjacent to the lot of a Applicant not covered by B. above.

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1. An Applicant for service shall pay to Company a contribution-in-aid-of-construction in an amount equal to 80% of the actual per lot construction cost as determined in A.3.(a)(b) above for a given lot.

2. Company shall refund to the original Applicant(s) said amount based upon the percentage of the actual extension cost advanced by each Applicant.

D. No refunds shall be made by Company under this Rule 12 after 10 years from the date of the original Applicant's payment.

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Swiss Villa Utilities, Inc.

For Swiss Villa Resort

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Community, Town or City

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Sewer Service Schedule

MAR 29 1993

MO. PUBLIC SERVICE COMM.

RULE 13

RULES AND REGULATIONS FOR CUSTOMERS SERVED BY THE SMALL DIAMETER GRAVITY SEWER COLLECTION SYSTEM

- a) Rates and rules as incorporated in these rules and regulations and rules not applying specifically to conventional gravity sewers are hereby incorporated by reference and shall be applicable to small diameter gravity sewer customers.
- b) Any residential customer connected or to be connected to the small diameter gravity sewer collection system shall install on his lot one septic tank adequate for service to a single family residence, with access for inspection and pumping. The service sewer from the building shall drain into the tank, and the service sewer from the tank outlet shall be connected to the company's small diameter collecting sewer. Perforated drain field piping shall not be utilized for a service sewer. The tank, required parts and fittings, service sewer piping, and labor required for installation shall be furnished and installed by the customer, and meet the specifications of the company.
- c) Any tank installed prior to May 1, 1993 and which serves more than one customer may remain in service provided the tank is adequate for the sewage flow and load from the customers. The customers connected to such a tank shall be jointly and severally responsible for the maintenance of the tank. If the tank does not adequately treat sewage and causes a problem in the collecting sewer, the company may require each customer to install one tank for each customer served.
- d) The company shall have the right to inspect the tank and if necessary remove solids at any reasonable time. Solids removal shall be done at the expense of the company. All other maintenance shall be the responsibility of the customer.

FILED

MAY 13 1993

MO. PUBLIC SERVICE COMM.

DATE OF ISSUE March 19, 1993
month day yearDATE EFFECTIVE May 13, 1993
month day year

ISSUED BY

[Signature]
name of officer

Trustee

PO Box 27 Lampe, MO 65681

title

address

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February 13, 2010

Missouri Public
Service Commission

WO-2007-0410; JS-2002-0090

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