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PROFESSIONAL CORPORATION

312 EAST CAPITOL AVENUE

P.O. BOX 488

JEFFERSON CITY, MISSOURI

65102

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KENNETH R. SATTERLY

AREA CODE 314
TELEPHONE 635-7100

April 5, 1979

Mr. Lawson Phaby
Acting Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102

Re: Application of Herculaneum Sewer Company, Case No. SA-78-240

Dear Mr. Phaby:

Enclosed for filing in the above-referenced matter please find an original and ten copies of an amended application of Herculaneum Sewer Company.

The purpose of this application is to request additional authority to issue long term debt in order to finance part of the initial construction of the sewer facilities.

Would you please see that this amended application is brought to the attention of the Commission as soon as possible, and I am today hand delivering a copy of this amended application, with cover letter, to the Office of Public Counsel.

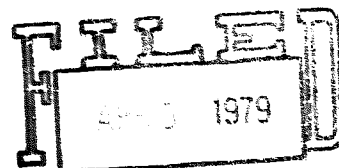
Thank you for your cooperation.

Sincerely,

W. R. England III
W. R. England III

WRE/rg
Enclosures

cc: Office of Public Counsel



PUBLIC SERVICE COMMISSION

H.D.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the application of)
HERCULANEUM SEWER COMPANY for permission,)
approval and a certificate of convenience)
and necessity authorizing it to construct,)
install, own, operate, control, manage,)
and maintain a sewer system for the public)
located in an incorporated portion of the)
community of Herculaneum, Missouri.)

Case No. SA-78-240

AMENDED APPLICATION

Comes now Herculaneum Sewer Company, Applicant in the above-captioned matter, and amends its application for a certificate of convenience and necessity as follows:

1. Applicant, as part of its request for a certificate of convenience and necessity, additionally requests authority to issue debt in the amount of \$120,000.00. This loan is to be made by the Boatmen's Bank of Jefferson County to the Herculaneum Sewer Company, the terms of which are more specifically set out in Appendix A, attached hereto and incorporated by reference.

2. Assuming Applicant's application for a certificate of convenience and necessity is granted, it expects to expend approximately \$466,400.00 in the construction of the sewer facilities to serve the certificated area. Applicant proposes to finance this initial construction cost as follows:

Contribution in aid of construction by developer	\$285,000.00
Contribution by sewer company	30,000.00
Second lien loan by sewer company	31,400.00
Seven-year loan	120,000.00

Company expects to expend the total amount of \$466,400.00 in the first year of operation. Thus, the proceeds of the loan will be used to pay for \$120,000.00 of the initial construction cost of the sewer system.


3. Applicant will provide at time of hearing a certified copy of the resolution of the directors of Applicant authorizing the issuance of said securities.

4. Applicant will supply at time of hearing a balance sheet and income statement showing the effects of the issuance of the proposed securities.

5. Applicant states that all of the \$120,000.00 will be subject to the fee schedule as provided in Section 385.300(5), RSMo 1969, as amended.

WHEREFORE, Applicant requests an Order of the Commission granting it a certificate of convenience and necessity to construct, install, own, operate, control, manage and maintain a sewer system for the public located in an incorporated portion of the community of Herculaneum, Missouri, and to grant it authority to issue long-term indebtedness in the amount of \$120,000.00, to be secured by a lien on the sewage treatment plant and sewer lines and an assignment of the tap on fees and user fees for purposes of constructing said sewer facilities.

Respectfully submitted,


W. R. England, III
HAWKINS, BRYDON & SWEARENGEN P. C.
P. O. Box 456
Jefferson City, Missouri 65102
Attorneys for Applicant
HERCULANEUM SEWER COMPANY

**BOATMEN'S
BANK OF
JEFFERSON COUNTY**

June 5, 1978

Herculaneum Sewer District
Mr. Jeremiah Nixon
One Thurman Court
P.O. Box 277
Hillsboro, Missouri 63050

RE: Herculaneum Sewer Company

Dear Mr. Nixon:

Please be advised of our loan commitment to the above-referenced company for \$120,000 to be secured by a 1st Deed of Trust on real estate, a lien on the sewage treatment plant and sewer lines, an assignment of the tap-on fees and user fees, and full personal guarantees of the following six individual principals involved in the Herculaneum Sewer Company and their spouses: Jeremiah Nixon, Kenneth McClain, Norville McClain, Kenneth Vondershe, Arthur Sitton, and Gerald L. Hughes.

The repayment schedule will be over a 7 year period, with interest only the first year and amortized over the remaining six years, at a floating interest rate of 2% over the prime lending rate as determined by Boatmen's National Bank of St. Louis, our main correspondent bank.

Payments may be made in multiples or additional principal amounts may be made in accordance with your amortization schedule. This loan commitment is contingent upon Herculaneum Sewer Company obtaining operating approval by the Missouri Public Service Commission, and all other regulatory or governmental bodies that may be applicable. This loan is also contingent upon there being no substantial or material adverse change in the condition of the borrower or guarantors. Annual financial statements are also requested on the company and guarantors.

A Subsidiary of Boatmen's Bancshares, Inc.

POST OFFICE BOX 298 • PEVELY, MISSOURI 63070 • TELEPHONE 314 479-5351

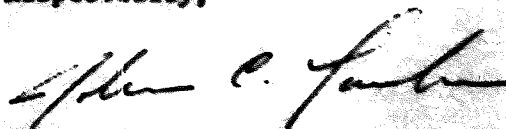
**BOATMEN'S
BANK OF
JEFFERSON COUNTY**

2.

This commitment is effective for 150 days from its issuance date, and may be extended at the bank's option.

Please contact me should you have any questions or comments.

Respectfully,



John C. Lanham
Executive Vice-President
Chief Executive Officer

JCL/cb

cc: Mr. John Bradbury
Vice-President
Boatmen's National Bank of St. Louis
100 N. Broadway
St. Louis, Missouri 63166

Harley

LAW OFFICES

HAWKINS, BRYDON & SWEARENGEN

PROFESSIONAL CORPORATION

312 EAST CAPITOL AVENUE

P. O. BOX 459

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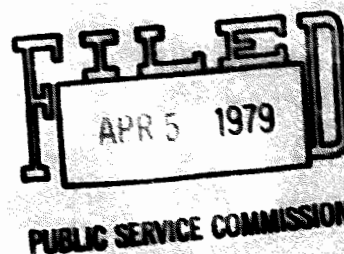
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April 5, 1979

Mr. Lawson Phaby
Acting Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102



Re: Herculaneum Sewer Company
Case No. SA-78-240

Dear Mr. Phaby:

The above-referenced matter represents the application of Herculaneum Sewer Company for a certificate of convenience and necessity as a regulated sewer company. Initial hearings were held on this application on August 18, 1978, and additional hearings have been scheduled for May 24, 1979.

The purpose of this letter is to request an earlier hearing date for this matter, and specifically, to request that it be set for April 10, 1979. That date had previously been set aside for hearing the St. Joseph Light & Power Company complaint case against Burlington Northern, Inc., Commission Case No. RC-78-86. That complaint case has been dismissed, which would make available one of the Commission's hearing rooms for April 10. I have checked with the examiner assigned to this case and the staff attorney, as well as the staff personnel involved in this matter, and they are agreeable to an April 10 setting.

No other parties, nor the Public Counsel, have participated in this case to date, and there will be no notification required for the expedited hearing date that is requested herein. Nevertheless,

Mr. Lawson Phaby
April 5, 1979
Page Two

I am providing Public Counsel with a copy of this letter and copies are also being sent to the appropriate staff personnel, as well as Examiner Parker.

Would you please see that this request is brought to the immediate attention of the Commission, and I look forward to your response. Thanking you in advance for your consideration in this matter, I remain

Sincerely yours,

W. R. England III
W. R. England, III

WRE/rg

cc: Office of Public Counsel
All Parties of Record