

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

In the Matter of Central Rivers )  
Wastewater Utility, Inc. for a )  
Certificates of Convenience and )  
Necessity Authorizing it to Construct, ) File No. \_\_\_\_\_  
Install, Own, Operate, Maintain, Control )  
and Manage Sewer Systems in Clay )  
County, Missouri. )

## APPLICATION FOR CCN AND REQUEST FOR WAIVER

**COMES NOW** Central Rivers Wastewater Utility, Inc. (Central Rivers), pursuant to 393.170, RSMo, 4 CSR 240-2.060 and 4 CSR 240-3.305 (Sewer Certificate), and, for its Application states as follows to the Missouri Public Service Commission (Commission):

1. Central Rivers is a Missouri general business corporation duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at P.O. 528, Kearney, MO 64060. A copy of a Certificate of Good Standing issued by the Missouri Secretary of State was submitted in Case No. SA-2014-0005, and there has been no change to that status. Other than cases that have been docketed at the Commission, Central Rivers has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates. Central Rivers has no annual report or assessment fees that are overdue.

2. Central Rivers provides sewer service to approximately 280 customers in Ray, Clay, and Clinton Counties, Missouri, pursuant to certificates of convenience and necessity previously granted in Commission Cases Nos. SA-2005-0302, SA-2004-0470, SA-2001-304, SA-2000-105, SA-2000-248, SA-98-530, and SA-2014-0005. Central Rivers is a "sewer

corporation" and a "public utility" as those terms are defined in Section 386.020, RSMo, and is subject to the jurisdiction and supervision of the Commission as provided by law.

3. Communications respecting this Application should be addressed to the undersigned counsel and:

Mr. Mark Geisinger  
Central Rivers Wastewater Utility, Inc  
P.O. Box 528  
Kearney, Missouri 64060  
816.898.1454 (telephone)  
[Gysinger.m@gmail.com](mailto:Gysinger.m@gmail.com)

4. Central Rivers requests permission, approval and a Certificate of Convenience and Necessity to construct, install, own, operate, maintain, control and manage sewer systems for the public in certain areas in Clay County, Missouri, as an addition to Central Rivers' existing service territories. Legal descriptions of the areas to be certificated are attached hereto as **Appendices 1A (Private Gardens), 1B (Berkshire Glen), and 1C (Wil Mar Estates)**. Maps of the areas sought to be certificated are attached to this Application as **Appendices 2A, 2B, and 2C**, respectively.

5. Central Rivers holds a CCN for sewer service for the areas adjoining the service areas being requested by this Application. Central River's existing certificated service areas (green), in relation to the requested areas (red), are identified in Appendices 2A, 2B, and 2C.

6. The areas for which Central Rivers is seeking to be certificated by this Application are already developed. The subject sewer collection systems have already been constructed and are in operation. Sewer service is not currently offered in the area by any unregulated entity or other regulated entity.

7. Listings of the names and addresses of ten or more residents in one of the identified areas, of the only resident in a second area, and of the only eight residents in the third

area are attached hereto as **Appendices 3A HC, 3B HC, and 3C HC**. These appendices have been identified as High Confidential because they contain information relating directly to specific customers.

8. In order to provide sewer service to the above-described areas, Central Rivers will not need to install new facilities and will not need to engage in any construction, nor require any new financing. Attached as **Appendix 4** is an estimate of the number of customers and revenues associated with service in these areas for the following three years

9. Central Rivers has not created a feasibility study containing plans and specifications and the estimated cost of construction, and there are no plans for financing. To the extent necessary, Central Rivers requests a waiver as to any additional information that might be required in a feasibility study

10. Central Rivers proposes to use its rates and charges currently on file and approved by the Commission for service in its existing certificated territories and proposes to use the general terms and conditions of service found in its Commission-approved tariff to govern its provision of sewer service to this territory.

11. The subject territory is not within the boundaries of an incorporated municipality. Central Rivers is not aware of any franchise (either city or county) that would be required in order for it to provide service in this territory. Permits for the operation of these facilities have been issued by the Missouri Department of Natural Resources (DNR), copies of which are attached hereto as **Appendices 5A, 5B, and 5C**. Central Rivers is not aware of any other governmental approval that it must obtain.

12. The territories Central Rivers proposes to certificate have a need for an operating sewer system and otherwise has no sewer service available. Central Rivers' experience in the

operation of sewer systems gives it the ability to provide this service in an efficient manner. For these reasons, a grant of the application will further the public convenience and necessity.

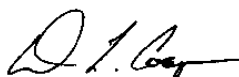
13. Central Rivers has not filed a 60-day notice pursuant to 4 CSR 240-4.020(2), and, pursuant to 4 CSR 240-4.020(2)(B), requests a waiver of this requirement. Although §393.170, RSMo requires a hearing, or the opportunity for a hearing, before a CCN is granted, Central Rivers does not anticipate this proceeding being controversial or “contested” in that sense. Further, effective notice of this application was provided, as its filing is required by the Stipulation and Agreement in Commission Case No. SC-2015-0152, as approved by the Commission on April 12, 2016. Central Rivers further represents to the Commission that it did not engage in any conduct which would have constituted a violation of any ex parte rule or standard of conduct if the notice had been filed pursuant to 4 CSR 240-4.020(2).

**WHEREFORE**, Central Rivers requests, for good cause shown, that the Commission waive the notice requirement of 4 CSR 240-4.020(2), approve this Application, and issue a CCN to Central Rivers as set forth above. Central Rivers requests such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



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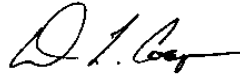
ATTORNEYS FOR CENTRAL RIVERS  
WASTEWATER UTILITY, INC.

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 12<sup>th</sup> day of July, 2016, to:

General Counsel's Office  
Missouri Public Service Commission  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

Office of the Public Counsel  
Office of the Public Counsel  
[opc@ded.mo.gov](mailto:opc@ded.mo.gov)



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VERIFICATION

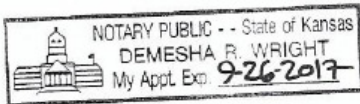
State of ~~Missouri~~ <sup>KANSAS</sup> )  
 ) ss  
County of JOHNSON )

I, Mark Geisinger, having been duly sworn upon my oath, state that I am President of Central Rivers Wastewater Utility, Inc. (Central Rivers), that I am authorized to make this affidavit on behalf of Central Rivers, and that the matters and things stated in the foregoing Application and appendices thereto are true and correct to the best of my information, knowledge and belief.

Mark Geisinger

Subscribed and sworn before me this 11 day of July, 2016.

Demeshia R. Wright  
Notary Public



## APPENDIX 1A (Private Gardens)

All that part of the East half of the Northwest Quarter of Section 19, Township 52, Range 31 in Clay County, Missouri described as follows: Beginning at the Northeast corner of said East half; thence West along the North line of said East half, a distance of 660.0 feet; thence South at right angles a distance of 650.0 feet; thence Southwest along a line that deflects 14 degrees 48 minutes 19 seconds to the right (from said line produced) a distance of 200.0 feet; thence South along a line which deflects 14 degrees 48 minutes 19 seconds to the left (from said last line produced) a distance of 1,770.72 feet to a point in the South line of said East half; thence East along said South line a distance of 697.40 feet to the Southeast corner of said East half; thence North along the East line of said East half a distance of 2,617.62 feet to the point of beginning; but reserving to grantor, its successors, heirs and assigns, a perpetual easement for sewers and drainage over, along and through the above described tract, for the benefit of the tract retained by the grantor, which easement is more particularly described as follows:

All that part of the East half of the Northwest Quarter of Section 19, Township 52, Range 31, in Clay County, Missouri, being a strip of land 10.0 feet in width lying 5.0 feet on either side of the following described centerline; Beginning at the Northeast corner of the said East half; thence West along the North line of said East half a distance of 660.0 feet; thence South at right angles a distance of 390.0 feet to the true place of beginning of said centerline; thence East at right angles a distance of 60.0 feet, more or less, to the centerline of a creek and the point of ending of said centerline.

# APPENDIX 1B (Berkshire Glen)

**LAND DESCRIPTION**  
PART OF THE E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , SEC. 17, T52N, R31W, CLAY COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE  $\frac{1}{4}$  SEC. LINE 77 FEET WEST OF THE S  $\frac{1}{4}$  CORNER OF SAID SEC. 17; THENCE S 89° 39' W 1232.5 FEET, ALONG THE SOUTH LINE OF SAID SEC. 17; THENCE NORTH 2646.8 FEET, ALONG THE  $\frac{1}{4}$  SEC. LINE TO THE EAST-WEST  $\frac{1}{4}$  SEC. LINE; THENCE N 89° 44' E 1312.4 FEET, ALONG SAID  $\frac{1}{4}$  SEC. LINE TO THE CENTER OF SAID SEC. 17; THENCE SOUTH 1235.2 FEET ALONG THE NORTH-SOUTH  $\frac{1}{4}$  SEC. LINE; THENCE S 0° 03' W 1412.2 FEET, TO THE MIDDLE OF COUNTY ROAD AND POINT OF BEGINNING; CONTAINING 78.6 ACRES, MORE OR LESS AND COMPRISING LOTS 1 TO 18 INCLUSIVE.

**LEGAL DESCRIPTION:**  
A tract of land in the South half of Section 17, Township 52, Range 31, Clay County, Missouri, described as follows: Beginning at the Southwest Corner of the Southeast Quarter of said Section 17, also being the Southeast corner of the Southwest Quarter of said Section 17; thence South 89 degrees 45 minutes 49 seconds West along the South line the Southwest Quarter of said Section 17, a distance of 75.00 feet; thence North 3 degrees 05 minutes 31 seconds East along the Easterly line of WALNUT HILLS ESTATES, a subdivision of land in Clay County, Missouri, a distance of 1404.18 feet; thence North 89 degrees 35 minutes 12 seconds East, a distance of 635.19 feet; thence South 3 degrees 05 minutes 31 seconds West along the Westerly line of BERKSHIRE GLEN FIRST PLAT, a subdivision of land in Clay County, Missouri and the Southerly prolongation of said Westerly line, a distance of 1404.18 feet to a point on the South line of the Southeast Quarter said Section 17, said point also being the Southwest Corner of BERKSHIRE GLEN - TRACT A; thence South 89 degrees 33 minutes 47 seconds West along the South line of the Southeast Quarter of said Section 17, a distance of 560.19 feet to the Point of Beginning. Said tract of land contains 16.70 acres more or less.

... caused the same to be subdivided in the



APPENDIX 1C  
(Wil Mar Estates)

DESCRIPTION: A TRACT OF LAND IN THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 53, RANGE 32, AND THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 53, RANGE 31, IN CLAY COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH 0°23'23" EAST, ALONG THE WEST LINE OF SAID SECTION, 406.78 FEET; THENCE NORTH 47°57'00" WEST, 620.51 FEET; THENCE SOUTH 89°55'28" WEST, 810.59 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MISSOURI HIGHWAY "A"; THENCE NORTH 0°02'35" EAST, ALONG SAID RIGHT-OF-WAY LINE, 614.49 FEET; THENCE NORTH 0°03'00" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, 174.61 FEET; THENCE NORTH 89°55'28" EAST, 1106.74 FEET; THENCE SOUTH 0°23'23" WEST, 496.42 FEET; THENCE NORTH 89°55'01" EAST, 502.46 FEET; THENCE SOUTH 36°25'40" WEST, 162.09 FEET; THENCE SOUTH 53°34'20" EAST, 325.00 FEET; THENCE SOUTH 36°25'40" WEST, 95.00 FEET; THENCE SOUTH 53°34'20" EAST, 260.00 FEET; THENCE SOUTH 75°28'54" EAST, 139.56 FEET; THENCE SOUTH 45°31'44" EAST, 235.00 FEET; THENCE SOUTH 7°29'00" EAST, 163.73 FEET; THENCE SOUTH 33°42'49" EAST, 139.83 FEET; THENCE SOUTH 28°14'37" EAST, 322.03 FEET; THENCE SOUTH 61°13'13" WEST, 252.29 FEET; THENCE SOUTH 64°53'05" WEST, 208.60 FEET; THENCE SOUTH 87°12'28" WEST, 181.04 FEET; THENCE SOUTH 81°36'29" WEST, 282.05 FEET; THENCE NORTH 49°52'45" WEST, 283.96 FEET; THENCE NORTH 63°34'45" WEST, 110.11 FEET; THENCE SOUTH 59°48'55" WEST, 79.95 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID MISSOURI HIGHWAY "A"; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF NORTH 30°11'05" WEST, HAVING A RADIUS OF 608.33 FEET, AN ARC DISTANCE OF 428.47 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36; THENCE NORTH 89°55'28" EAST, ALONG SAID NORTH LINE, 367.91 FEET TO THE POINT OF BEGINNING; CONTAINING 51.6 ACRES, MORE OR LESS.