

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

IN THE MATTER OF APPLICATION OF)
THE PUBLIC FUNDING CORPORATION)
OF THE CITY OF OZARK, MISSOURI)
TO SELL ITS WATER SYSTEM LOCATED)
IN CHRISTIAN CPOUNTY TO THE CITY OF)
OZARK, MISSOURI)

File No. WM-2017-0342

FIRST AMENDED APPLICATION

COMES NOW THE PUBLIC FUNDING CORPORATION OF THE CITY OF OZARK, MISSOURI, a Missouri not-for-profit business corporation organized and existing under and by virtue of the laws of the State of Missouri, and in support of its first amended application pursuant to Section 393.190 R.S.Mo. (2016), states as follows:

1. The Public Funding Corporation of the City of Ozark, Missouri (Seller) was the owner of a certain privately owned water system located in Ozark, Christian County, Missouri. Its principal office is P.O. Box 295, Ozark, Missouri 65721. A copy of Seller's certificate of good standing issued by the Secretary of State of the State of Missouri is attached hereto, marked "**Exhibit A**" and incorporated herein by reference.
2. City of Ozark ("Buyer") is a fourth class City operating pursuant to Missouri law. Its address is P.O. Box 295, Ozark, Missouri 65721.
3. Correspondence, communications, orders and decisions for the Applicant is as follows:
L. Elise Crain, President, The Public Funding Corporation of the City of Ozark, C/O David V. Collignon, City Attorney, P.O. Box 295, Ozark, Missouri 65721-0295; Tele: (417) 581-2407; FAX (417) 581-0695; email dcollignon@ozarkmissouri.org.
4. On or about the 21st day of June 1995 Seller and Buyer, a not-for-profit corporation established to benefit and carry out the public purposes of the Buyer by acquiring and financing real estate and personal property for public purposes, filed an application with the Public Service Commission requesting the transfer of the "Finley Valley Water Company" ("FVWC") to the Seller as a financing arm of Buyer. The Commission found that the Seller was, in essence, the alter ego of the Buyer. The Commission further found that the owner of the FVWC had health problems that disallowed him from continuing to operate the system. On or about December 6, 1995, the Commission entered its Order approving the transfer and sale, ordering the Seller to file its tariff for Commission approval, cancelling the certificate of public convenience and necessity and the tariffs of the FVWC and that the Order was to become effective on January 5, 1996.
5. In the early months of 2003, the Seller began discussions with the Ozark Bank for the re-financing of the existing loan relating to the original acquisition of the FVWC.

6. On or about July 1, 2003 Seller entered into the terms of re-financing with Ozark bank and as a part of that re-financing entered into a second long term Lease Agreement with Buyer for the operation of the water system. The termination date for the lease was January 1, 2011. A copy of the Lease Agreement with incorporated schedules is attached hereto, marked "**Exhibit B**" and incorporated herein by reference. The assets of the FVWC are listed as "Schedule 1" to "**Exhibit B**".
7. On January 3, 2011 Seller completed the installment payments for the financing of the FVWC and paid the outstanding note to Ozark Bank. Within the month the assets of the FVWC were duly transferred to the Seller in accordance with Section 6.04 of the Lease Agreement.
8. From June 21, 1995 to the present date, Buyer has continuously operated, maintained and improved the FVW system providing water to the residents of the Finley Valley area.
9. Approval of the transaction is not detrimental to the public interest in that it will simply confirm the status quo. The water service as currently provided will continue as it has for the preceding twenty-two (22) years.
10. Seller does not have any pending action or final unsatisfied judgments or decisions against it within the preceding three (3) years from any state or federal agency or court which involve customer service or rates.
11. No annual reports or assessment fees are overdue.
12. Tax Revenue Impact statement:
 - a. All of the assets described in this application are located within Christian County, Missouri and no potentially impacted political subdivisions cross county boundaries, Accordingly Christian County is the only potentially affected County.
 - b. There will be no impact to the tax revenues of the Buyer in that current water rates are those that have been in effect for years. The Finley Valley community is in an unincorporated area of Christian County and that area will not experience any tax impact. This includes the Ozark School RVI District, the Christian County Ambulance District, the Ozark Fire Protection District or the Ozark Special Road District.

WHEREFORE, Seller respectfully requests an order and decision of this Commission approving the transfer of the assets of The Public Funding Corporation of the City of Ozark as herein described to the City of Ozark a fourth class City of the State of Missouri; authorizing Seller to discontinue providing service in its area and the immediate continuance of service by the Buyer and the release of the supervision and control of the Commission and for such other and further relief as the Commission deems proper to accomplish the purposes of the application.

Respectfully Submitted,
The Public Funding Corporation of
the City of Ozark

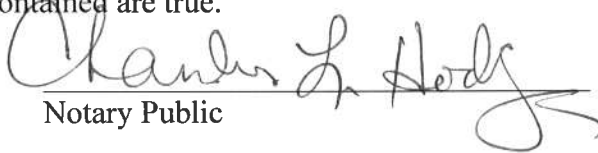


L. Elise Crain, President

VERIFICATION

STATE OF MISSOURI)
) ss
COUNTY OF CHRISTIAN)

I, Chandra Hodges, a notary public, do hereby certify that on this 22nd day of June 2017, personally appeared before me L. Elise Crain, who, being by me first duly sworn, declared that she is the duly elected President of the Public Funding Corporation of the City of Ozark and that she signed the foregoing document pursuant to a resolution passed by said corporation on May 31, 2017 and that the statements therein contained are true.


Notary Public