

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

In the Matter of South Cape County)
Sewer Company, LLC for a Certificate of)
Convenience and Necessity Authorizing) Case No. _____
it to Own, Operate, Maintain, Control,)
and Manage a Sewer System in)
Cape Girardeau County, Missouri.)

APPLICATION

COMES NOW South Cape County Sewer Company, LLC (“Applicant” or “SCC Sewer”), pursuant to Sections 393.140 and 393.170, RSMo and 20 CSR 4240-2.060 and 20 CSR 4240-60.050, and for its Application states as follows:

I. APPLICANT

1. SCC Sewer is a Missouri limited liability company duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at 2985 Boutin Drive, Cape Girardeau, Missouri 63701. Attached hereto as **Appendix 1** is a Certificate of Good Standing issued by the Missouri Secretary of State. The Applicant is organized is for the operation of a sewer company and to transact all other business lawful and permitted for which a Limited Liability Company may be organized under the Missouri Limited Liability Act, without limitation or restriction, within or without the State of Missouri.

2. In addition to undersigned counsel, communications regarding this application should be addressed to:

Brandon O. Williams
2985 Boutin Drive
Cape Girardeau, MO 63701-9180
(573) 335-3382

3. Applicant has no pending action or final unsatisfied judgements or

decisions against from any state or federal agency or court which involve customer service or rates having occurred within three years of the date of this application.

4. Applicant has no annual reports or assessment fees that are overdue.

II. REQUEST FOR CCN

5. This Application is being filed by SCC Sewer to obtain from the Commission a certificate of convenience and necessity to own, operate, maintain, control, and manage a sewer system in Cape Girardeau County, Missouri.

6. SCC Sewer requests permission, approval, and a Certificate of Convenience and Necessity to own, operate, maintain, control, and manage a sewer system for the public in certain areas of Cape Girardeau County.

A. Project Description

7. Attached as **Appendix 2** are the legal description and map of the proposed service area.

8. This area encompasses an existing development (Kings Landing Phase I and Phase II) as established by the developer Cape Land and Development, LLC. That developer (Cape Land & Development) has created SCC Sewer as a special purpose entity for the sole purpose of constructing, maintaining, and owning utility companies within the State of Missouri. Upon approval by the Commission, SCC Sewer will own, operate, and maintain the SCC Sewer sewer system in the referenced area. To date, neither Cape Land and Development, LLC nor SCC Sewer has charged for sewer service but seeks this CCN in order to do so and operate as a regulated utility.

9. Kings Landing Phase I and Phase II is platted for 32 apartment units and 37 single family houses with plans for additional expansion to 160

apartment units, 137 single family houses and 3 commercial lots.

10. Attached as **Appendix 3** is the construction permit from the Missouri Department of Natural Resources. Strickland Engineering, L.C. serves as the systems operator pursuant to a contract. That operator contract is attached as **Confidential Appendix 4**.

11. Attached hereto as **Appendix 5** is a report from Heartland Engineering which includes a physical description of the proposed collection and treatment system to be constructed, the cost of the proposed treatment system and the cost of alternative treatment systems examined, and a timeline for completion of construction, which incorporates permit requirements from DNR.

12. Attached hereto as **Appendix 6** are the projected financial details required by 20 CSR 4240-60.050(B).

13. SCC Sewer not aware of any franchise (either city or county) that would be required in order for it to provide service in this area. SCC Sewer is not aware of any other governmental approval that it must obtain.

B. The Project is Necessary and Convenient for the Public Service

14. The Commission traditionally analyzes an application for a CCN using the following factors:

- a. Need for the Project;
- b. Economic Feasibility of the Project;
- c. Ability of the Applicant to Finance the Project;
- d. Qualifications of the Applicant to Construct the Project; and
- e. Whether the Project is in the Public Interest.¹

An affirmative finding on the first four factors generally leads to the conclusion

¹ The Commission has traditionally analyzed CCN applications using those factors. *See In Re Tartan Energy*, GA-94-127, 3 Mo.P.S.C.3d 173, 177 (1994).

that the final factor, public interest, is satisfied.²

15. The area SCC Sewer proposes to certificate has a need for an operating sewer system and otherwise has no sewer service available.

16. The Economic Feasibility of the Project and Ability of the Applicant to Finance the Project are set forth in Appendices 3, 5 and 6.

17. The Qualifications of the Applicant to Construct the Project is evidenced by the Missouri Department of Natural Resources approval of the Facility Plan and Construction Permit. See Appendices 3 and 7.

18. For these above stated reasons, a grant of the application will further the public convenience and necessity.

WHEREFORE, SCC Sewer requests the Commission grant it permission, approval, and a Certificate of Convenience and Necessity authorizing it to own, operate, maintain, control, and manage a sewer system for the public within the area referred to above, and to issue such other orders as the Commission may deem appropriate.

Respectfully submitted,

ELLINGER BELL LLC

By: /s/ Stephanie S. Bell

Marc H. Ellinger, #40828

Stephanie S. Bell, #61855

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*Attorneys for South Cape County Sewer
Company, LLC*

² *Id.* at 189 (citing *In re: Intercon Gas, Inc.*, 30 Mo. P.S.C. at 561).

List of Attached Exhibits:

Appendix 1 – Letter of Good Standing
Appendix 2 – Legal Description and Service Area Map
Appendix 3 – DNR Construction Permit
Confidential Appendix 4 – Operator Contract
Appendix 5 – Engineering Report
Appendix 6 – Projected Financial Details
Appendix 7 – DNR Facility Plan Approval

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail, or hand delivery, on this July 10, 2026, to the following parties:

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
rodney.massman@psc.mo.gov

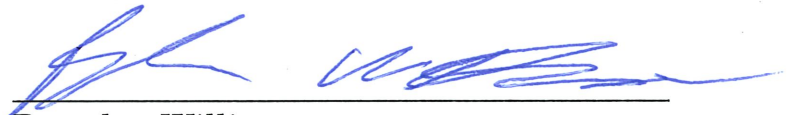
Office of Public Counsel
PO Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

/s/ Stephanie S. Bell

VERIFICATION

State of Missouri)
) ss
County of Cape Girardeau)

I, Brandon Williams, having been duly sworn upon my oath, state that I am the sole owner and member of South Cape County Sewer Company, LLC ("SCC Sewer"), that I am duly authorized to make this affidavit on behalf of SCC Sewer, that I have knowledge of the matters stated herein, and that said matters are true and correct to the best of my information, knowledge, and belief. Additionally, no representative of SCC Sewer has had any communication with the office of the Missouri Public Service Commission as defined in Commission Rule 20 CSR 4240-4.015(10) within the one hundred fifty (150) days immediately preceding the filing of the Application regarding any substantive issue likely to be addressed in this case.



Brandon Williams

Subscribed and sworn to before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 2nd day of July 2026.





Notary Public

My Commission Expires:

09/23/2029