

Missouri Public Service Commission



Area Code 31
751-3234

September 15, 1977

P.O. BOX 36
JEFFERSON CITY
MISSOURI 65111

Mr. Leland A. Mitten
President
Turkey Mountain Estates, Inc.
Highway 39
Shell Knob, Missouri 65747

Dear Mr. Mitten:

Your responses to the Commission's inquiries of August 19th preliminarily indicate that your operation qualifies as a "water corporation" as defined in Chapter 386 of the Missouri Revised Statutes. As such, your water supply operation is subject to the regulations of this Commission. You will, therefore, need to secure from the Commission a Certificate of Public Convenience and Necessity in order to bring your company into compliance with the law.

The Commission has established a special procedure for certificating small water companies such as yours. These are aimed at minimizing the expenses which normally accrue as a result of the legal proceedings which are involved in obtaining an operating authority. I will be most happy to explain these to you or your attorney at your conveniences.

I strongly urge you to act in regard to this situation as soon as possible. In a technical sense, your current operation is in violation of the law. As such you are subject to the assessment of statutory penalties. Although such drastic action appears to be unwarranted at this time, unreasonable delay in seeking a certificate could change this analysis in the future.

If you would like to discuss this matter further, please contact me at the above address or phone me at 314-751-4335.

Sincerely yours,

L. Russell Mitten, II
L. Russell Mitten, II
Counsel

LRM/ch

cc: Jim Merciel

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Applicant Exhibit No. 13
Date 8-28-78 Case No. WF-38-179
Reporter JJ WF-38-179