

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

The Staff of the Missouri Public)	
Service Commission,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2010-0161
)	
Box Canyon Watershed Association, Inc.,)	
Dream Builders, LLC, Horse Trading, LLC,)	
Canyon Treatment Facility, LLC, Super Market)	
Merchandising & Supply, Inc., Kandis Davis,)	
Thomas Davis, David Sanford, Curtis Butrick,)	
and Kevin Knasel,)	
)	
Respondents.)	

APPLICATION TO INTERVENE

COMES NOW Royal Vista, LLC ("Royal Vista"), pursuant to 4 CSR 240-2.060 and 2.075 of the Commission's Rules of Practice and Procedure, and hereby applies to intervene and become a party in respect to the Complaint filed by the Staff of the Missouri Public Service Commission ("Staff") in the above captioned proceeding. In support of this Application, Royal Vista respectfully states as follows:

1. Royal Vista is a Missouri Limited Liability Company formed for the purpose of owning, developing and managing real estate. Royal Vista's principal office in the state of Missouri is 130 Royal Vista Dr., Branson, Missouri 65616. Attached as Appendix A is a copy of the certificate of good standing indicating that Royal Vista is authorized to do business in the State of Missouri. Royal Vista has no pending actions or final unsatisfied judgments or decisions which involve customer service or rates, nor is Royal Vista delinquent in any annual reports or assessment fees.

2. Correspondence or communications regarding this application, including service of all notices and orders of this Commission should be addressed to:

Kenneth N. Hall
REECE MOORE PENDERGRAFT LLP
75 N. East Avenue, Suite 500
Fayetteville, AR 72701
Voice: 479-443-2705
Fax: 479-443-2718
Email: khall@rmpllp.com

3. On November 24, 2009, the Staff filed its Complaint alleging that the Respondents had unlawfully providing "sewer service to the public for gain, without certification or other authority from the Missouri Public Service Commission." On November 30, 2009, the Commission issued its Notice of Complaint. 4 CSR 240-2.075(1) provides that an application to intervene "shall be filed within thirty (30) days after the commission issues its order giving notice of the case." As such, this Application is timely.

4. Royal Vista owns and operates the Royal Vista condominium development in Stone County, Missouri. The Royal Vista condominium development is comprised of 60 residential condominium dwellings and is located immediately outside the city limits of Branson, Missouri within the area served by Respondents. Royal Vista anticipates expanding the condominium project to 88 condominium units. To date, Royal Vista has paid in excess of \$250,000.00 for connection and sewer expansion fees under the auspices of receiving expanded sewer service from the Respondents. Despite such payments, however, Respondents have been unwilling to assure the expanded sewer services will be constructed and/or operated. Therefore, Royal Vista is concerned

whether Respondents can provide safe and adequate service to the Royal Vista condominium project.

5. Royal Vista supports the relief sought by the Staff in its Complaint. Based upon information garnered in the course of its dealings with Respondents, Royal Vista believes that Respondents have provided utility service to the public for gain without seeking certification by the Commission. Based upon its possession of unique information relevant to the Commission's immediate inquiry, Royal Vista asserts that granting the proposed intervention would serve the public interest.

6. Given its location within the area served by Respondents as well as the size of its facilities, Royal Vista has an interest in this case that differs from that of the general public. Ultimately, Royal Vista is interested in ensuring that Respondents provide safe and adequate sewer service at just and reasonable rates.

WHEREFORE, for the reasons stated herein, Royal Vista respectfully requests that the Commission issue an order permitting Royal Vista to intervene as a party in this case.

Respectfully submitted,



Kenneth N. Hall (MO Bar # 52474)
REECE MOORE PENDERGRAFT LLP
75 N. East Avenue, Suite 500
Fayetteville, AR 72701
Voice: 479-443-2705
Fax: 479-443-2718
Email: khall@rmpllp.com

Attorneys for Royal Vista, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the forgoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read 'K. N. Hall', written over a horizontal line.

Kenneth N. Hall

Dated: December 29, 2009

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

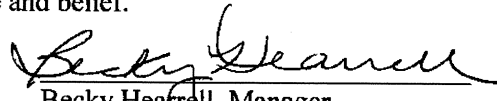
The Staff of the Missouri Public Service Commission,)
)
)
Complainant,)
)
v.)
)
Box Canyon Watershed Association, Inc.,)
Dream Builders, LLC, Horse Trading, LLC,)
Canyon Treatment Facility, LLC, Super Market)
Merchandising & Supply, Inc., Kandis Davis,)
Thomas Davis, David Sanford, Curtis Butrick,)
and Kevin Knasel,)
)
Respondents.)

Case No. SC-2010-0161

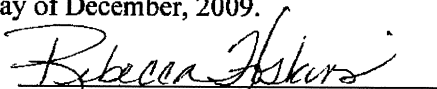
AFFIDAVIT

STATE OF MISSOURI)
) SS
COUNTY OF)

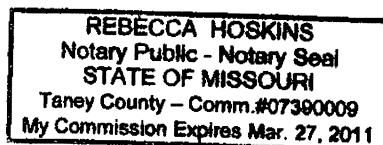
I, Becky Hearrell, having been duly sworn upon my oath, state that I am the Manager of Royal Vista, LLC and that I am duly authorized to make this application on behalf of Royal Vista, LLC and that the matters set forth in this application are true and correct to the best of my information, knowledge and belief.


Becky Hearrell, Manager

Subscribed and sworn before me this 27th day of December, 2009.


Notary Public

My commission expires on 3.27.11



STATE OF MISSOURI



Robin Carnahan
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

ROYAL VISTA, LLC
LC0652813

was created under the laws of this State on the 12th day of April, 2005, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 29th day of December, 2009

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State

