

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

Jefferson City
May 1, 1980

CASE NO. SA-80-198


Mr. Vernon L. Stump, Manager
Lake Saint Louis Sewer Company
One Lake Saint Louis Boulevard
Lake Saint Louis, Missouri 63367

W. R. England, III,
Attorney at Law
P. O. Box 456
Jefferson City, Missouri 65102

Gentlemen:

Enclosed find certified copy of ORDER in the above-numbered case.

Sincerely,



D. Michael Hearst
Secretary

uncertified copy:

Director
Department of Natural Resources
1518 South Ridge Plaza
Jefferson City, Missouri 65101

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

CASE NO. SA-80-198

In the matter of the application of Lake Saint Louis Sewer Company for permission, approval, and a certificate of convenience and necessity authorizing it to construct, install, own, operate, control, manage and maintain a sewer system for the public located in an unincorporated area in St. Charles County, Missouri.

Application to add to certificated area of sewer company granted where evidence proved that the applicant is qualified to serve the area in question and that the service is necessary and convenient for the public service.

APPEARANCES: W. R. England III, Attorney at Law, P. O. Box 456, Jefferson City, Missouri 65102, for the Applicant Lake Saint Louis Sewer Company.

Rory Ellinger, Assistant General Counsel, Missouri Public Service Commission, P. O. Box 360, Jefferson City, Missouri 65102, for the Staff of the Missouri Public Service Commission.

REPORT AND ORDER

On February 1, 1980, Lake Saint Louis Sewer Company (Applicant) filed with this Commission an application seeking a certificate of public convenience and necessity authorizing the construction and operation of a sewer system for the public in an unincorporated area in St. Charles County, Missouri. By order dated March 6, 1980, this matter was set for hearing on March 28, 1980, in the Commission's hearing room on the tenth floor of the Jefferson State Office Building in Jefferson City, Missouri. Notice of the hearing was sent to all interested parties including the Missouri Department of Natural Resources and the presiding judge of the St. Charles County Court. No applications to intervene were filed in this matter and the only parties participating at the hearing were the Applicant and the Staff of the Missouri Public Service Commission (Staff). Upon the close of the hearing, both parties waived the provision of Section 536.080, RSMo 1978, concerning the reading of the transcript by the full Commission, and also waived the right to file briefs or have oral argument in this matter.

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

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Lake Saint Louis Sewer Company (Applicant) is a Missouri corporation with its principal place of business located at One Lake Saint Louis Boulevard, Lake Saint Louis, Missouri 63367. It is a public utility rendering sewer service to the public and a copy of its certificate of incorporation and articles of incorporation are on file with the Commission. Applicant presently provides sewer service to approximately 1400 residential customers in the community of Lake Saint Louis, Missouri.

Applicant requests herein permission, approval and a certificate of public convenience and necessity to construct and operate a sewer system for the public in an unincorporated area in St. Charles County, Missouri. The proposed additional service area is about two acres in size and is located approximately 300 feet east of the Company's present service area. A complete legal description of the proposed additional service area was received into evidence as Exhibit No. 2, and is attached to and made a part of this Report and Order as Appendix A. A single customer is located on the property included in the proposed service area. Said customer is the Heritage Academy, a preschool learning center. The academy is not presently operating because its use permit requires connection to a sewer system prior to opening. The academy has a present capacity of 40 students with a staff of five adults, with cooking and restroom facilities, but no gymnasium or showers.

Applicant projects total usage by the academy of 16,200 gallons per month. The academy will be charged for service on the basis of gallons used at the rate presently charged by Applicant to its commercial customers. The anticipated revenue from service to the academy is \$19.54 per month.

Service will be provided to Heritage Academy through construction of a new trunk line built from the existing Lake Saint Louis sewer system. The system will be gravity fed and will consist of an eight-inch sanitary sewer running to a manhole located on the property of the academy with a four-inch sanitary sewer lateral running from said manhole to the building to be serviced. The customer will pay the cost of the extension of the system. The extension as planned will not require additional treatment plant construction by Applicant.

There are no other public utilities or governmental bodies rendering the sewer service which Applicant requests to render within the proposed service area. The Staff appeared at the hearing in support of the instant application and recommends that the authority sought be granted.

Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

The Applicant is a sewer corporation as defined by Section 386.020, RSMo 1978. The Commission shall grant a certificate of convenience and necessity authorizing the construction and operation of a sewer system for the public where it finds that the same is necessary or convenient for the public service. Section 393.170, RSMo 1978. It is the conclusion of the Commission that the Applicant is capable of providing the proposed service, that a need for the proposed service has been demonstrated and that the authority sought herein should be granted.

It is, therefore,

ORDERED: 1. That Lake Saint Louis Sewer Company, One Lake Saint Louis Boulevard, Lake Saint Louis, Missouri 63367, be, and it is, hereby granted a certificate of public convenience and necessity to install, own, acquire, construct, operate, control, manage and maintain a sanitary sewer system in an unincorporated area in St. Charles County, Missouri, more fully described in Appendix A, attached hereto and made a part hereof.

ORDERED: 2. That within thirty (30) days from the effective date of this Report and Order, Lake Saint Louis Sewer Company shall file, subject to the approval of the Commission, tariff sheets containing a legal description and a map of the Company's total authorized service area, including the area granted in this Report and Order.

ORDERED: 3. That within thirty (30) days from the effective date of this Report and Order, Lake Saint Louis Sewer Company shall furnish evidence to the Commission that it has filed applications for all necessary permits to implement all the rules and regulations of the Missouri Department of Natural Resources which are applicable to this case.

ORDERED: 4. That Lake Saint Louis Sewer Company shall maintain records in accordance with the uniform system of accounts for sewer companies of its size.

ORDERED: 5. That nothing contained herein shall be construed as a finding by the Commission of the value for ratemaking purposes of the properties herein involved or as an acquiescence in the value placed upon said properties by the Applicant.

ORDERED: 6. That this Report and Order shall become effective on the 13th day of May, 1980.

BY THE COMMISSION

D. Michael Hearst

D. Michael Hearst
Secretary

(S E A L)

Slavin, Chm., McCartney, Fraas,
Dority and Bryant, CC., Concur.

Dated at Jefferson City, Missouri,
on the 1st day of May, 1980.

LEGAL DESCRIPTION

A tract of land being a part of the Eastern One-Half of Section 26, Township 47 North, Range 2 East, more particularly described as follows: Beginning at the Southeast corner of the Northeast Quarter of said Section 26; thence North $1^{\circ} 35'$ West 139.7 feet to the Southern right-of-way line of Interstate Highway 70; thence South $89^{\circ} 2'$ East 364.06 feet along said right-of-way line to an old iron pipe at the Northwest corner of the tract of ground conveyed to H. Friese by deed recorded in Book 456, Page 25, in the Office of the Recorder of Deeds, St. Charles County, Missouri; thence South $0^{\circ} 1' 5''$ West 340.08 feet to an iron pipe which marks the place of beginning of the tract herein described; thence North $89^{\circ} 19' 42''$ East 254.96 feet to an iron pipe; thence South $0^{\circ} 2' 00''$ West 171.00 feet to an iron pipe; thence South $89^{\circ} 19' 42''$ West 254.81 feet to an iron pipe; thence North $0^{\circ} 1' 5''$ West 171.00 feet to the place of beginning. All as per plat of survey made by Dean G. Ray, dated February 19, 1973.

Together with an easement 10 feet in width extending from the Northwestern corner of the above described tract of land North $0^{\circ} 1' 5''$ West 340.08 feet, more or less, to the Southern right-of-way of Interstate Highway 70.

Grantors herein reserve an easement 10 feet in width along the Western side of the first above described tract for the purpose of ingress and egress and maintaining utilities.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, this 1st day of May 1980

D. Michael Hearst
D. Michael Hearst
Secretary