

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY**

**October 29, 1997**

**CASE NO: WA-98-36**

**Office of the Public Counsel, P. O. Box 7800, Jefferson City, MO 65102  
Gregory D. Williams, Highway 5 at Lake Road 5-33, P. O.Box 431, Sunrise Beach, MO 65079**

**Enclosed you will find certified copy of ORDER in the above-numbered case(s).**

**Sincerely,**



**Cecil I. Wright  
Executive Secretary**

**Uncertified Copy:**

**County Commissioneers of Camden County, #1 Court Circle, P. O. Box 360,  
Camdenton, MO 65020**

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service Commission held at its office in Jefferson City on the 29th day of October, 1997.

In the Matter of the Application of )  
Osage Water Company for Permission, )  
Approval, and a Certificate of )  
Convenience and Necessity Authorizing )  
it to Construct, Install, Own, )  
Operate, Control, Manage and Maintain )  
a Water and Sewer System for the )  
Public Located in an Unincorporated )  
Portion of Camden, County, Missouri. )

Case No. WA-98-36

**ORDER DENYING MOTION TO SUBMIT CASE ON  
VERIFIED APPLICATION AND ATTACHMENTS**

On July 28, 1997, Osage Water Company (Applicant) filed an application with the Commission requesting a certificate of convenience and necessity authorizing it to construct, own, operate, manage and maintain a water and sewer system for Cedar Glen Condominiums located in an unincorporated portion of Camden County. On July 30 the Commission issued an Order and Notice directing that applications to intervene be filed no later than August 29. No person or entity filed an application to intervene.

On October 1 Applicant filed a Motion to Submit Case on Verified Application and Attachments. Applicant stated in its motion that no changes in Applicant's tariffs are proposed other than the addition of necessary pages for service area maps and legal descriptions. Applicant therefore requested that the Commission take up and consider the application and attachments and issue an order granting Applicant a

certificate of convenience and necessity to provide water and sewer services as requested in the application.

On October 14 the Staff of the Missouri Public Service Commission (Staff) filed its Response to Motion to Submit Case on Verified Application. Staff stated in its response that it has concerns about the Applicant's financial ability and that it intends to complete an audit of the Company's records and file a recommendation in this case by December 12. Staff therefore requests that the Commission deny the Company's motion.

The Commission has reviewed Applicant's motion and Staff's response. The Commission determines that Staff should complete its audit and file its recommendation in this case no later than December 12. The Commission further determines that Applicant's motion should be denied. By denying the motion, the Commission is not suggesting that this case must be heard. Under State ex rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989), if no party requests a hearing, the Commission may grant the requested relief based on the verified application.

**IT IS THEREFORE ORDERED:**

1. That Staff shall complete its audit and file its recommendation in this case no later than December 12, 1997.
2. That the Motion to Submit Case on Verified Application filed on October 1, 1997, by Osage Water Company, is denied.

3. That this order shall become effective on October 29,  
1997.

**BY THE COMMISSION**



**Cecil I. Wright  
Executive Secretary**

(S E A L)

Lumpe, Ch., Crumpton, Murray,  
and Drainer, CC., concur.

George, Regulatory Law Judge

ALJ/Sec'y: George Boyce

10.16  
Date Circulated

WA-98.36  
CASE NO.

[Signature]  
Eobrist, Chairman

[Signature]  
Crumpton, Commissioner

[Signature]  
Murray, Commissioner

[Signature]  
Lumpe, Commissioner

[Signature]  
Drainer, Vice-Chair

10.29  
Agenda Date

Action taken: 4-0 AS

Must Vote Not Later Than \_\_\_\_\_

**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,  
Missouri, this 29th day of OCTOBER, 1997.

Cecil I. Wright  
Cecil I. Wright  
Executive Secretary