

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

In the Matter of the Application of The Meadows)	
Water Company, North Suburban Public Utility)	
Company and the City of Willard, Missouri, for)	
An Order Authorizing the Sale, Transfer and)	Case No. WO-2007-0424
Assignment of Water and Sewer Assets to the)	
City of Willard and in Connection Therewith)	
Certain Other Related Transactions.)	

APPLICATION TO INTERVENE

COMES NOW the City of Springfield, Missouri ("Springfield"), pursuant to the Commission's *Order Directing Notice* issued in the above-captioned cause on May 3, 2007, 4 CSR 240-2.060, and 4 CSR 240-2.075, and for its Application To Intervene as a party to this case, respectfully states as follows:

I. 4 CSR 240-2.060 Requirements

1. The City of Springfield, Missouri is a constitutional charter city existing under and operating pursuant to Article VI, Sections 19 and 19(a) of the Constitution of the State of Missouri. Its principle office is located at Busch Building, City Clerk's Office, 840 Boonville Springfield, Missouri 65801, telephone (417) 864-1650, fax number (417) 864-1649, email address bcirtin@ci.springfield.mo.us .

2. All communications, correspondence, pleadings, notices and orders relating to this matter should be sent to co-counsel:

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With a copy sent to:

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3. As a constitutional charter city and political subdivision of the state, the remaining provisions of 4 CSR 240-2.060 do not apply for purposes of this Application.

II. 4 CSR 240-2.075 Requirements

4. This Application has been timely filed pursuant to the Commission's May 3, 2007 *Order Directing Notice* and otherwise is in compliance with 4 CSR 240-2.075(1).

5. Springfield has a unique interest in this proceeding for the following reasons:

- a. Springfield owns and operates the Springfield-Branson National Airport ("Airport"), parts of which are immediately adjacent to the certificated water and sewer service area of The Meadows Water Company ("The Meadows").
- b. Land owned by Springfield, but used by the Airport, is located within the certificated water and sewer service area of The Meadows.
- c. Through its Board of Public Utilities, operating pursuant to Article XVI of the duly adopted City Charter, Springfield provides water, gas and electric utility service in portions of the certificated water and sewer service area of The Meadows.

- d. Springfield, by and through its Department of Public Works, provides sewer service in portions of the certificated water and sewer service area of The Meadows.
- e. Springfield has entered into a contract, dated April 15, 2004, with the City of Willard, Missouri (“Willard”) to treat, pursuant to applicable Department of Natural Resources regulations, all of the sewage from Willard in a designated service area around Willard that is over three times the size of the current city limits of Willard. This contract runs until April 15, 2024 and has a capacity limit sufficient to treat the effluent in the designated sewage treatment area. A portion of The Meadows’ certificated water and sewer service area is located within the sewage treatment area set forth in the above-mentioned Springfield/Willard contract.
- f. Springfield and its citizens already have provided significant public infrastructure within the certificated water and sewer service area of The Meadows to serve the Airport and portions of the surrounding areas. This public infrastructure includes public water, electric, gas, and sewer utilities as well as public parks.
- g. Springfield and the County of Greene have adopted an Urban Service Area Policy establishing an Urban Service Area, which is located outside of the city limits of Springfield, in which Springfield may provide sewer service at the appropriate time, with parts of said Urban Service Area

being located in the certificated water and sewer service area of The Meadows.

h. Springfield is committed to building substantial public improvements including new trunk sewers, lift stations and road improvements to provide urban services to parts of the certificated water and sewer service area of The Meadows.

6. Springfield seeks to intervene in this proceeding to fully understand whether or how the transactions proposed by the Joint Applicants might affect the above-specified interests, and if necessary, defend those interests, on behalf of the citizens of Springfield.

7. At this time, Springfield does not support nor oppose the relief sought by Joint Applicants and is unsure of the position it will take in this proceeding as it has not yet had the opportunity to review the possible ramifications that the transactions proposed by the Joint Applicants might have on Springfield's interests.

8. Springfield has interests in this proceeding which are unique and different than that of the general public and which may adversely be affected by a final order arising out of this case. No other party to this case, including the Commission Staff or the Office of the Public Counsel, can adequately represent Springfield's interests.

9. Granting Springfield's intervention would furthermore serve the overall public interest, if for no other reason than Springfield will be in a unique position to bring (as necessary) additional information and an additional perspective to assist the Commission in its deliberations, which in all likelihood otherwise would be absent without Springfield's direct participation as a party.

WHEREFORE, having fully complied with the requirements of 4 CSR 240-2.060 and 4 CSR 240-2.075, the City of Springfield, Missouri respectfully requests that it be allowed to intervene and fully participate as a party in this proceeding.

Respectfully submitted,

/s/ **Charles Brent Stewart**

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ATTORNEYS FOR THE CITY OF
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Application To Intervene was sent to counsel for all parties of record in Case No. WO-2007-0424 by depositing same in the U.S. Mail, first class postage prepaid, by hand-delivery, or by electronic transmission, this 23rd day of May, 2007.

/s/ **Charles Brent Stewart**
