

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 27<sup>th</sup> day of  
October, 2010.

In the Matter of the Application of S.T. Ventures, )  
LLC for Authority to Transfer Certain Assets to )  
Table Rock Lake Community Service, Inc. d/b/a )  
Table Rock Lake Water Quality, Inc. and, in )  
Connection Therewith, Certain Other )  
Related Transactions )

**File No. SO-2011-0020**

**ORDER APPROVING APPLICATION**

Issue Date: October 27, 2010

Effective Date: November 6, 2010

On July 26, 2010, S.T. Ventures, LLC, applied to the Commission for authority to sell its sewer system to Table Rock Lake Community Service, Inc. d/b/a Table Rock Lake Water Quality, Inc., which will, in turn, immediately transfer the system to Ozarks Clean Water Company. The Commission issued notice of this application on July 27. In that notice, the Commission allowed anyone who wished to intervene until August 16 to request intervention. No one asked to intervene.

Staff filed its Recommendation on October 12, advising the Commission to approve the transaction. Commission Rule 4 CSR 240-2.080(15) allows parties ten days to respond to pleadings unless otherwise noticed. No party has responded to Staff's Recommendation.

The application is within the Commission's jurisdiction to decide.<sup>1</sup> Because no party objects to the application, no evidentiary hearing is required.<sup>2</sup> Thus, the Commission deems the hearing waived,<sup>3</sup> and bases its findings on the verified filings, and makes its conclusions as follows.

S.T. Ventures provides sewer service to approximately 85 customers in the Smoke Tree Hills subdivision in Taney County, Missouri. S.T. Ventures currently holds a certificate of convenience and necessity to provide sewer service, which the Commission issued in File No. SA-96-91. S.T. Ventures intends to sell its sewer system to Table Rock Lake Community Service, a Missouri corporation, formed in 1998 by the Table Rock Lake/Kimberling City Area Chamber of Commerce for the purpose of improving water quality at Table Rock Lake. Immediately after closing, Table Rock Lake Community Service will transfer the sewer system to an associated company, Ozarks Clean Water Company, a not-for-profit sewer company, which will take over operation of the system.

Ozarks Clean Water Company currently provides sewer service to several hundred customers in various locations in Southwest Missouri, with its facilities operated under contract with White River Valley Environmental Services, an experienced operations firm. As a not-for profit sewer company organized under Sections 393.825 to 393.861 RSMo, Ozarks Clean Water Company is not subject to Commission jurisdiction.

The Commission may approve the sale of a sewer system if that sale is not detrimental to the public interest.<sup>4</sup> Based on the verified pleadings, including the

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<sup>1</sup> Section 393.190 RSMo 2000.

<sup>2</sup> *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494 (Mo. App. 1989).

<sup>3</sup> Section 536.060, RSMo 2000.

<sup>4</sup> See Commission Rule 4 CSR 240-3.310(1)(D).

recommendations of its Staff, the Commission finds that granting the application for the sale of the sewer system would not be detrimental to the public interest.

Staff asks the Commission to direct S.T. Ventures to notify the Commission of the closing of the transfer of assets within five business days after the closing occurs. After the closing is complete, Staff advises the Commission to cancel S.T. Venture's Certificate of Convenience and Necessity, as well as the tariffs issued by that company.

**THE COMMISSION ORDERS THAT:**

1. S.T. Venture's Application is granted, and S.T. Ventures is authorized to sell its sewer system to Table Rock Lake Community Service, Inc. d/b/a Table Rock Lake Water Quality, Inc. Table Rock Lake Community Service, Inc., shall immediately transfer that sewer system to Ozarks Clean Water Company.

2. S.T. Ventures shall file a notice in this case within five business days of the completion of the transfer of assets to Table Rock Lake Community Service, Inc., and the subsequent transfer to Ozark Clean Water Company.

3. This order shall become effective on November 6, 2010.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Clayton, Chm., Davis, Jarrett, Gunn,  
and Kenney, CC., concur.

Woodruff, Chief Regulatory Law Judge