

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a hearing of the Public Service
Commission, held at Jefferson City,
Missouri, on the 17th day of
October, 1978.

CASE NO. WA-79-16

In the matter of the application of
WILLIAM E. EVANS AND LORAIN E. EVANS
for permission, approval and certificate
of convenience and necessity authorizing
them to construct, install, own, operate,
control, manage and maintain a water
system for the public located in an
unincorporated area in Henry County,
Missouri.

BEFORE:

C. GENE FEE, Presiding,
HEARING EXAMINER.

REPORTED BY:

BARBARA SKALLA

APPEARANCES:

PERRY M. CORTNER, Attorney at Law,
Suite 300, Professional Building,
Kansas City, Missouri 64106,

FOR: APPLICANTS.

GARY W. DUFFY, Assistant General Counsel,
P. O. Box 360,
Jefferson City, Missouri 65102,

FOR: STAFF OF THE MISSOURI PUBLIC
SERVICE COMMISSION.

Missouri Public Service Commission

1 DE IT REMEMBERED, at a hearing of the Public
2 Service Commission, held at the time and place mentioned in
3 the title page hereof, the following proceedings were had:

4 (Written Entries of Appearance filed.)

5 EXAMINER FEE: The hearing will come to order.
6 Will Counsel at this time make their entry of appearance,
7 both written and oral.

8 MR. CORTNER: My name is Perry M. Cortner,
9 300 Professional Building, Kansas City, Missouri; and I
10 represent the Petitioners here or Applicants as you might
11 call them, William E. Evans and Loraine E. Evans, for
12 permission, approval and a Certificate of Convenience and
13 Necessity to construct, install, operate and so forth, a
14 water system in Henry County, Missouri.

15 MR. DUFFY: Let the record reflect the
16 appearance of Gary W. Duffy, Assistant General Counsel,
17 appearing for the Staff of the Public Service Commission,
18 P. O. Box 360, Jefferson City, Missouri 65102.

19 EXAMINER FEE: Does the Applicant have a
20 desire to make an opening statement?

21 MR. CORTNER: At this time, I have talked
22 both with Mr. and Mrs. Evans and to all parties interested
23 that are now users of this water system. And we have come
24 to the conclusion that perhaps the best interests could be
25 served here for all parties to see if we can get together

1 a homeowners nonprofit corporation and operate the water
2 system ourselves. And for that reason, we would request
3 a continuance on this matter for, we'll say, 60 days,
4 or until a hearing can be scheduled in order to give all the
5 users and the owners of the water system a chance to form
6 the homeowners association, thereby relieving this
7 Commission of handling a small water company of which there
8 are only six users including the owners at this time.

9 EXAMINER FEE: Any objection from the Staff?

10 MR. DUFFY: The Staff has no objection to a
11 continuance.

12 EXAMINER FEE: This matter will be continued
13 to a date to be fixed by the Commission.

14 WHEREUPON, the hearing of this case was
15 continued to a date to be fixed by the Commission.