

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the Application of Ozark Shores Water )  
Company, North Suburban Public Utility Company and )  
Camden County Public Water Supply District Number Four ) File No. WM-2015-0231  
for an order authorizing the Sale, Transfer and Assignment )  
Water Assets to Camden County Public Water Supply )  
District Number Four and in connection therewith certain )  
other related transactions. )

## ORDER GRANTING INTERVENTION, DIRECTING FILING, AND STAYING PROCEEDINGS

Issue Date: June 2, 2015

Effective Date: June 2, 2015

The Commission is granting the *Missouri Attorney General's Application to Intervene out of Time* ("motion")<sup>1</sup> and suspending proceedings in this action except as set forth in the ordered paragraphs.

The Commission set the deadline for filing any application for intervention at April 27, 2015.<sup>2</sup> The Missouri Attorney General ("AG") filed the motion on May 20, 2015.<sup>3</sup> The Applicants<sup>4</sup> filed a response to the motion<sup>5</sup> and the Missouri Attorney General ("AG") filed a reply.<sup>6</sup>

Because the motion comes after the filing deadline, the following standard applies.

Motions to intervene . . . filed after the intervention date may be granted upon a showing of good cause. [ <sup>7</sup> ]

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<sup>1</sup> Electronic Filing and Information System ("EFIS") No. 15 (May 20, 2015).

<sup>2</sup> EFIS No. 4 (April 8, 2015) *Order Directing Notice and Setting Time for Filing*.

<sup>3</sup> EFIS No. 15 (May 20, 2015) *Missouri Attorney General's Application to Intervene out of Time*.

<sup>4</sup> Ozark Shores Water Company, North Suburban Public Utility Company, and Camden County Public Water Supply District Number Four.

<sup>5</sup> EFIS No. 17 (April 22, 2015) *Objection to Missouri Attorney General's Application to Intervene Out Of Time*.

<sup>6</sup> EFIS No. 20 (June 1, 2015) *Missouri Attorney General's Reply in Support of His Application to Intervene out of Time*.

<sup>7</sup> 4 CSR 240-2.075(1).

Good cause means a good faith basis for reasonable relief.<sup>8</sup> In support of good cause, the AG states that he filed the motion just two days after he learned of this action. Those allegations constitute good cause.

The standard for intervention is as follows.

The commission may grant a motion to intervene or add new member(s) if—

(A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; and

(B) Granting the proposed intervention would serve the public interest [. <sup>9</sup>]

In support of intervention, the AG cites his duties:

[First] to prevent any office holder or public franchisee from unlawfully executing [an] office, even if that violation does not create any direct consequences to general utility rates. Second, . . . ensuring that the office of the [applicant Camden County Public Water Supply District Number Four] is not executed in such a way as to adversely affect taxpayers of Camden County. Third, . . . ensuring that sound municipal bonds are offered for sale within the State. Municipal bonds issued to purchase artificially inflated assets, as may be the case here, may increase the risk of default for such investment instruments and thereby damage investors.

Those interests are different from that of the general public, and final order arising from the case may be adversely affect those interests, and granting the motion would serve the public interest.

Therefore, the Commission will grant the motion and suspend proceedings in this action except as set forth in the ordered paragraphs.

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<sup>8</sup> *American Family Ins. Co. v. Hilden*, 936 S.W.2d 207 (Mo. App. W.D. 1996).

<sup>9</sup> 4 CSR 240-2.075(3).

**THE COMMISSION ORDERS THAT:**

1. The *Missouri Attorney General's Application to Intervene out of Time* is granted.
2. Not later than July 2, 2015, the Missouri Attorney General shall, and any other party may, file a status report.
3. Except as provided in ordered paragraph 2, all proceedings in this action are stayed.
4. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 2<sup>nd</sup> day of June, 2015.