

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

In the Matter of Application of Canyon)
Treatment Facility, LLC for permission,)
approval and a Certificate of)
Convenience and Necessity Authorizing) Case No. SA-2010-_____
it to Acquire, Construct, Install, Own,)
Operate, Control, Manage, and/or)
Maintain a Sewer System for the public)
in located Stone County, Missouri.)

APPLICATION

COMES NOW Canyon Treatment Facility, LLC ("Applicant" or "Canyon") pursuant to Section 393.170., RSMo 2000 and 4 CSR 240-2.060 and 4 CSR 240-3.305, and for its Application to the Missouri Public Service Commission (Commission) states as follows:

1. Canyon is a Missouri limited liability company duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at P.O. Box 7006, Branson, MO 65615. Communications respecting this Application should be addressed to the undersigned counsel and to:

Ms. Kandis Davis
Canyon Treatment Facility, LLC
P.O. Box 7006
Branson, MO 65615
kmd5131@aol.com
417-337-3330 or 417-338-5131 (Telephone)
417-338-4863 (Fax)

2. Attached hereto as **Exhibit 1** is a Certificate of Good Standing for Canyon issued by the Missouri Secretary of State.

3. Canyon has no final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates having occurred within three (3) years from the date of this Application. Canyon is a defendant in a lawsuit filed by VPG

Partners, LLC, in the Circuit Court of Stone County, Missouri, Case No. 09SN-CC0054.

Canyon is also named in a complaint filed by the PSC Staff in Case No. SC-2010-0161.

4. Canyon has no annual report or assessment fees with the Commission which are currently overdue.

5. By this application, Canyon proposes to provide sewer service to the public as a sewer corporation and public utility pursuant to the jurisdiction, regulation, and supervision of the Commission. Specifically, Canyon requests permission, approval and a Certificate of Convenience and Necessity to acquire, construct, install, own, operate, control, manage, and/or maintain a sewer system for the public in areas located in Stone County, Missouri (the "proposed certificated area"), as set forth on the map attached to this Application as Exhibit 2, and legally described by metes and bounds on Exhibit 3, attached to this Application.

6. A list of ten (10) or more residents or landowners residing in the proposed certificated area is attached hereto as Exhibit 4.

7. At the present time, the Box Canyon Watershed Association, Inc. (a not-for-profit corporation) provides sewer service to a portion of the proposed certificated area. However, Box Canyon Watershed Association, Inc. proposes to transfer its assets to Applicant and cease to do business at such time as Applicant obtains its certificate of convenience and necessity from the Commission and begins operations as a sewer corporation.

8. A feasibility study containing plans and specifications for the utility system and estimated cost of the construction of the utility system during the first three (3) years of construction; plans for financing; proposed rates and charges and an estimate of the number of customers, revenues and expenses during the first three (3) years of operation are attached as Exhibit 5.


9. The proposed certificated area is located within an unincorporated area of Stone County, Missouri. No approval is necessary from Stone County in order for Canyon to operate as a sewer corporation. The proposed certificated area is located within the current boundaries of the Stone County Sewer District No. 1. Stone County Sewer District No. 1 has been notified of Canyon's application for Certificate of Convenience and Necessity and has indicated no objection to same as evidenced by the letter from Stone County Sewer District No. 1 attached hereto as **Exhibit 6**.

10. Box Canyon Watershed Association, Inc. currently operates under Operating Permit No. MO-0129470 issued by Missouri Department of Natural Resources. At such time as Applicant obtains a Certificate of Convenience and Necessity from the Commission, Applicant will take the necessary steps to either seek a transfer of this Permit to it or obtain a new operating permit from the Missouri Department of Natural Resources.

11. The proposed certificated area is experiencing significant growth in single family residential, commercial, condominium and resort time-share properties, all of which require sewer service. There is therefore a current and future need for the sewer services proposed to be provided by Canyon in the proposed certificated area and a grant of the Certificate of Convenience and Necessity sought herein will be in the public interest.

WHEREFORE, Canyon requests the Commission grant it permission, approval and a Certificate of Convenience and Necessity authorizing it to acquire, install, build, construct, own, operate, control, manage and/or maintain a sewer system for the public within the area described above, and to issue such other orders as the Commission may deem appropriate.

Respectfully submitted,



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ATTORNEYS FOR
CANYON TREATMENT FACILITY, LLC

CERTIFICATE OF SERVICE

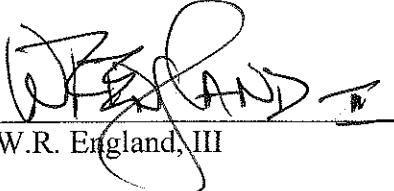
I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 21st day of January, 2010, to:

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W.R. England, III

AFFIDAVIT

State of Missouri)
)
County of Stone) ss

I, Kandis Davis, having been duly sworn upon my oath, state that I am the Managing Member of Canyon Treatment Facility, LLC, that I am duly authorized to make this affidavit on behalf of Canyon Treatment Facility, LLC, that the matters and things stated in the foregoing application and exhibits attached thereto are true and correct of the best of my information, knowledge and belief.

Kandis Davis

Subscribed and sworn before me this 21st day of January, 2010.

Kerri Hawkins
Notary Public

My Commission Expires 2-21-12

KERRI HAWKINS Notary Public - Notary Seal STATE OF MISSOURI Stone County - Comm#08539633 My Commission Expires Apr. 21, 2012
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EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Certificate of Good Standing |
| Exhibit 2 | Map of Area |
| Exhibit 3 | Legal Description |
| Exhibit 4 | List of Residents/Landowners |
| Exhibit 5 | Feasibility Study |
| Exhibit 6 | Letter from Stone County Sewer District No. 1 |