

EXAMPLE

FACILITIES CERTIFICATE – WATER, SEWER, OR GAS SYSTEM

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSISSIPPI

DOCKET NO. _____

IN RE: APPLICATION OF XYZ UTILITY COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING IT TO CONSTRUCT, OPERATE AND MAINTAIN A **(WATER/SEWER/GAS)** SYSTEM IN A SPECIFIED AREA IN BALFOUR COUNTY, MISSISSIPPI

XYZ UTILITY COMPANY, INC.

PETITION

COMES NOW the Petitioner, XYZ Utility Company, Inc. (XYZ), a corporation duly chartered, organized and existing by virtue of the laws of the State of Mississippi and domiciled in Balfour County, Mississippi, and petitions the Mississippi Public Service Commission (the “Commission”) for a Facilities Certificate to construct, operate and maintain a **(water/sewer/gas)** system to serve its franchise area in Balfour County, Mississippi, pursuant to § 77-3-11(3) Mississippi Code Annotated (1997 and Supp.), and Rule 7C of the Mississippi Public Service Commission’s Utility Rules of Practice and Procedure and other applicable sections of the Mississippi Public Utilities Act, as amended, and in support thereof respectfully shows the Commission the following:

1. The Petitioner is XYZ Utility Company, Inc., a Mississippi corporation duly chartered, organized and existing under and by virtue of the Laws of the State of Mississippi.

- Petitioner's mailing address is 123 Elm Road, Kelly, Mississippi 39999. Petitioner has not revised its corporate charter, articles of incorporation or partnership agreement.
2. Petitioner attaches, as Exhibit A, a list of the names and addresses of the Petitioner's board of directors, officers, and any persons owning fifteen percent (15%) or more of its stock.
 3. Petitioner attaches, as Exhibit B, the required number of Mississippi Department of Transportation Balfour County Maps on a scale of one-half (1/2) inch to a mile showing the location of the proposed new facilities.
 4. A detailed description of the proposed facilities is attached as Exhibit C.
 5. A complete set of engineering plans and specifications is attached as Exhibit D.
 6. Approval of the engineering plans and specifications by the (*Mississippi State Department of Health/Mississippi Department of Environmental Quality*) is attached as Exhibit E.
 7. An estimate of the cost to construct the facilities is attached as Exhibit F.
 8. A listing of all sources of funding is attached as Exhibit G.
 9. An estimate of the impact of the cost of facilities upon rate base and rates is attached as Exhibit H, if applicable.
 10. A list of "interested persons" as contemplated by the Commission's rules along with a Certificate of Notice to those persons is attached as Exhibit I.
 11. A copy of the testimony to be relied upon at hearing is attached to this petition, said testimony being that of Jack Ryan, President, and Harmon West, P.E., which are marked as Exhibits J and K.
 12. A balance sheet and income statement are attached as Exhibits L and M.
 13. The public convenience and necessity will be best served by granting the Petitioner the relief prayed for in this Petition; and that for the reasons set forth and the documentation filed with this Petition, it is in the best interest of the customers of the Petitioner, as well as the general

public, to grant the Petitioner a Certificate of Public Convenience and Necessity to construct, operate and maintain the facilities described herein.

WHEREAS, PREMISES CONSIDERED, the Petitioner prays that after due and proper notice has been given in the time and manner required by law, a Certificate of Public Convenience and Necessity should be issued unto XYZ to construct, operate and maintain the facilities described herein.

The Petitioner prays for general relief.

Respectfully submitted this the ____ day of _____, 199__.

XYZ UTILITY COMPANY, INC.

BY: SMITH & JONES, P.A.

Its Attorneys

BY: _____

SAMUEL E. JONES

SAMUEL E. JONES (MSB#1000)
SMITH & JONES, P.A.
100 West Street
Jackson, MS 39201
Telephone (601) 981-9000

CERTIFICATE OF SERVICE

I, Samuel E. Jones, of Smith & Jones, P.A., attorney for XYZ Utility Company, Inc., do hereby certify on this day that I have caused to be hand-delivered the original and fourteen copies of the above and foregoing Petition to Brian U. Ray, Executive Secretary of the Mississippi Public Service Commission, 19th Floor, Walter Sillers State Office Building, Jackson, Mississippi 39201, and that in the filing of said Petition, I have complied with Rule 6L of the Commission's Rules of Practice and Procedure.

This the ____ day of _____, 199__.

SAMUEL E. JONES