

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

In the Matter of the Application of)
Confluence Rivers Utility Operating Company, Inc.,)
For Authority to Acquire Certain Water and Sewer) File No. WA-2019-0299
Assets and for a Certificate of Convenience and)
Necessity)

**PARTIAL OBJECTION OF LAKE PERRY LOT OWNERS ASSOCIATION
TO STIPULATION AND AGREEMENT AS TO NET BOOK VALUE**

COMES NOW the Lake Perry Lot Owners Association (“Association”) and pursuant to 20 CSR 4240-2.115(2)(B) & (E) makes this its partial objection to the *Stipulation and Agreement* as to Net Book Value (“Stipulation”), stating as follows:

1. On April 9, 2020, the Office of Public Counsel (“OPC”), Confluence Rivers Utility Operating Company, Inc. (“Confluence Rivers”), and the Staff of the Missouri Public Service Commission (“Staff”) filed their nonunanimous Stipulation,
2. The Association does not oppose paragraphs 1-3 of said Stipulation. The Association is willing to agree to and waive its right to call, examine and cross-examine witnesses regarding the calculation and actual values for the net book value for the Port Perry assets as of December 31, 2019 of \$20,070 for water and \$57,866 for sewer (“net book value”). It is also willing to agree that the net book value amounts will be used as the starting amounts for the calculation of rate base (with regard to the Port Perry assets) in Confluence River’s next rate case.
3. The Association opposes to the remainder of the Stipulation. The remainder of the Stipulation is too broad and does not specifically identify the issues for which the waiver of procedural rights applies in paragraph 6. The Association reserves its rights: (1) to call, examine

and cross-examine witnesses pursuant to RSMo. section 536.070(2); (2) to present oral argument and/or written briefs pursuant to RSMo. section 536.080.1; (3) to the reading of the transcript by the Commission pursuant to section RSMo. 536.800.2; (4) to seek rehearing pursuant to RSMo. section 386.500; and (5) to judicial review pursuant to RSMo. section 386.510 with regard to any issue not specifically waived in paragraph 2 above.

4. The net book value remains a relevant and critical issue in whether the Application is “detrimental to the public interest,” as expressed in paragraph 1 of the Stipulation. The Association’s position remains that the stated net book value makes the transaction contemplated by the Application detrimental to the public interest.

WHEREFORE, the Association respectfully submits this partial objection to the *Stipulation and Agreement as to Net Book Value*.

Respectfully submitted,



By:

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was sent to all parties of record in File No. WA-2019-0299 via electronic transmission this 10th day of April, 2020.


