

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
April, 2016.

The Office of the Public Counsel,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	
Central Rivers Wastewater Utility, Inc.	)	
	)	
Respondent.	)	

File No. SC-2015-0152

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: April 12, 2016

Effective Date: May 12, 2016

On May 15, 2015, the Office of the Public Counsel ("OPC") filed *The Office of the Public Counsel's Amended Complaint*¹ against Central Rivers Wastewater Utility, Inc. ("Central Rivers"). The four-count complaint alleged Central Rivers: 1). overcharged customers for STEP² and STEG³ installations; 2). failed to return customer deposits; 3). operated as a public utility without a Certificate of Convenience and Necessity; and, 4). Charged for sewer services without an approved tariff.

On March 24, 2016, Central Rivers, OPC and the Commission's Staff filed a *Stipulation and Agreement* that settled all issues in OPC's complaint. As part of the

¹ OPC initially filed a complaint on December 24, 2014. The Commission issued an order staying all proceedings, pending the outcome of mediation. While the complaint was being mediated, OPC filed *The Office of the Public Counsel's Amended Complaint*.

² Septic Tank Effluent Pumping system.

³ Septic Tank Effluent Gravity system.

settlement, Central Rivers agrees to refund all customer deposits to impacted customers — including 6 percent interest— over a period of two years. Central Rivers will provide reports to Staff and OPC identifying the progress of the refunds.⁴ Amounts charged and received by Central Rivers for STEP/STEG installations prior to September 6, 2015 will be recorded as Contributions in Aid of Construction.⁵ Central Rivers also agrees to file an application for a CCN in order to address any areas where it may be serving outside its existing certificated area without a tariff.

Commission rule 4 CSR 240-2.115(1)(A) allows parties to propose a resolution of a contested case by filing a stipulation and agreement. The Commission may then resolve the case based on that agreement. After reviewing the *Stipulation and Agreement*, the Commission finds it to be reasonable. The Commission determines it shall be approved.

THE COMMISSION ORDERS THAT:

1. The *Stipulation and Agreement* filed on March 24, 2016 is approved. A copy of the agreement is attached as Attachment 1 and is incorporated as part of this order.
2. The signatories to the *Stipulation and Agreement* are ordered to comply with the terms of the agreement.
3. This order shall become effective on May 12, 2016.

⁴ Those customers that Central Rivers cannot locate by January 31, 2017, will have their refunds paid to the State Treasurer as unclaimed property, consistent with the Uniform Disposition of Unclaimed Property Act in Sections 447.500 – 447.595 of the Missouri Revised Statutes.

⁵ A tariff sheet went into effect in September 2015 authorizing the installation of STEP/STEG systems by entities other than Central Rivers.

4. This file shall be closed on May 13, 2016.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, and Rupp, CC., concur;
Coleman, C., absent

Burton, Senior Regulatory Law Judge.