

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

The Staff of the Missouri Public Service  
Commission,

Complainant,

v.

Central Rivers Wastewater Utility, Inc.

Respondent.

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**Case No. SC-2020-0002**

**STAFF RESPONSE TO ORDER DIRECTING FILING OF AMENDED COMPLAINT**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), and  
for its *Response to Order Directing Filing of Amended Complaint*, states as follows:

**Introduction**

1. On July 22, 2019, Staff filed a *Complaint* against Respondent Central Rivers Wastewater Utility, Inc. for failure to timely file an Annual Report as required by § 393.140(6) RSMo, and Commission Rule 4 CSR 240-10.145(1).

2. On August 7, 2019, after Respondent had failed to answer Staff’s *Complaint* per Commission Rule 4 CSR 240-2.070(9), Staff filed a *Motion for Default Judgement and for Authority to Seek Penalties* per Commission Rule 4 CSR 240-2.070(10).

3. On August 13, 2019, the Commission ordered Staff to file an amended complaint (1) “alleging facts sufficient for the Commission to obtain legally sufficient service upon Central Rivers Wastewater Utility, Inc.,” and (2) “facts sufficient for the Commission to determine the date from which Staff alleges Respondent has been in violation of applicable laws and regulations.”

4. In response to the Commission's first point, Staff refers to the certified mail receipt that was filed in EFIS on July 11, 2019. The receipt was signed by "Wilson" who was identified as an "agent" of Respondent Company.

5. Per § 386.390.4 RSMo, service on a corporation may be permitted by:

...delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving copies at any business office of the defendant with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process.

6. The Complaint was delivered to the business address of Central Rivers Wastewater Utility, Inc., and accepted by an agent of the Company, "Wilson." Facts are sufficient to show that the Commission obtained legally sufficient service on July 11, 2019.

7. That being said, Attached as Appendix A, Staff has drafted an *Amended Complaint* including the address of the Company's registered office and the name and address of the Company's registered agent, as listed with the Missouri Secretary of State.

8. In response to the Commission's second point, line 12 of Staff's *Complaint* cited Commission Rule 4 CSR 240-10.145(1), which prescribes April 15 of each year as the deadline for utilities to file an annual report.

9. Further, line 13 of Staff's *Complaint* indicated that Central Rivers Wastewater Utility, Inc. failed to file either an annual report or extension by April 15, 2019.

10. To clarify the matter, Staff has language in its *Amended Complaint* stating that no request for extension was filed by the Company prior to April 15, 2019, pursuant to Commission Rules 4 CSR 240-10.145(6)(A) or (7)(A) in line 13.

11. Respondent Central Rivers Wastewater Utility, Inc. did not request an extension until May 9, 2019; that request was both out of time and not in compliance with the Commission's Rules. Staff contends Respondent has been out of compliance with Commission rules since April 15, 2019.

**WHEREFORE,** Staff respectfully requests the Commission give notice to the Respondent as required by law and, after the opportunity for hearing, issue an order that finds the Respondent has violated § 393.140(6), RSMo., and Commission Rule 4 CSR 240-10.145(1) as set out above, and thereupon authorize its General Counsel to seek in Circuit Court the penalties allowed by law; and grant such further relief as is just under the circumstances.

Respectfully submitted,

**/s/ Travis J. Pringle**  
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Public Service Commission  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were mailed, electronically mailed, or hand-delivered to all counsel of record this 20th day of August, 2019.

**/s/ Travis J. Pringle**