

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

In the Matter of the Application of Osage            )  
Utility Operating Company, Inc. to Acquire        )  
Certain Water and Sewer Assets and for a         )  
Certificate of Convenience and Necessity         )     **File No. WA-2019-0185**

**MOTION TO MODIFY ORDER**

**COMES NOW** Confluence Rivers Utility Operating Company, Inc. (“Confluence Rivers”), the successor to Osage Utility Operating Company, Inc. (“Osage”), and hereby requests the Missouri Public Service Commission (“Commission”) issue an Order modifying, to the extent necessary, its *Report and Order* in WA-2019-0185 to eliminate a condition related to the filing of an Osage rate case. In support of its request, Confluence Rivers respectfully states as follows to the Commission:

1. On April 8, 2020, the Commission issued its *Report and Order* in WA-2019-0185. The *Report and Order* granted Osage Utility Operating Company, Inc. certificates of convenience and necessity to provide water and sewer service in the service territories previously served by Osage Water Company, and authorized Osage to acquire the water and sewer assets of Osage Water Company.

2. Among other things, “ordered” paragraph 18 of the *Report and Order* directed Osage to file a rate case with the Commission no later than twenty-four months after the effective date of the *Report and Order*. This condition was proposed by the Staff of the Commission (“Staff”). (*Report and Order*, pp. 22-23). The *Report and Order* became effective on May 8, 2020.

3. On October 14, 2021, the Commission issued its *Order Approving Merger* in File

No. WM-2021-0412. The *Order Approving Merger* approved the merger of Confluence Rivers with Osage (as well as with Hillcrest Utility Operating Company, Inc.; Elm Hills Utility Operating Company, Inc.; Raccoon Creek Utility Operating Company, Inc.; and, Indian Hills Utility Operating Company, Inc. (“the other operating companies”)), with Confluence Rivers being the surviving corporation. Since the filing of the *Report and Order*, Osage (and the other operating companies) merged into Confluence Rivers and Confluence Rivers adopted the tariffs of Osage (and the other operating companies).

4. As a result, Osage no longer exists in the form contemplated by the *Report and Order* and when Confluence Rivers next files a rate case it will include all Missouri properties formerly owned by it, Osage and the other operating companies. Ultimately, Confluence Rivers anticipates filing a rate case for all its systems in the 3<sup>rd</sup> or 4<sup>th</sup> quarter of 2022.

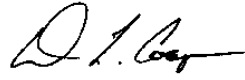
5. As a result of changed circumstances since the Commission issued its *Report and Order* in WA-2019-0185, Confluence Rivers, to the extent necessary, requests the Commission modify the *Report and Order* to remove the requirement for Osage to file a rate case.

6. Confluence Rivers has discussed this motion with counsel for Staff and she indicates the Staff does not object to the requested modification.

**WHEREFORE**, Confluence Rivers requests the Commission issue an order modifying its *Report and Order* in WA-2019-0185 to remove ordered paragraph 18, the requirement for

Osage to file a rate case.

Respectfully submitted,



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**ATTORNEYS FOR CONFLUENCE RIVERS  
UTILITY OPERATING COMPANY, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served electronically on all counsel of record herein on this 4<sup>th</sup> day of May, 2022.

