

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

In the Matter of the Application of )  
Confluence Rivers Utility Operating )  
Company, Inc., to Acquire Certain Water ) File Nos. WM-2020-0282  
and Sewer Assets, and For Certificates )  
of Convenience and Necessity )

**RESPONSE TO ORDER CONCERNING PUBLIC HEARING**

**COMES NOW** Confluence Rivers Utility Operating Company, Inc., (“Confluence Rivers” or “Company”) and, in response to the Missouri Public Service Commission’s (“Commission”) *Order Directing Responses to Request for Notice and Request for Public Hearing*, states as follows:

1. On July 20, 2020, the Office of the Public Counsel (“OPC”) filed a *Motion to Suspend Current Schedule, Request for Notice to Customers, and Request for Local Public Hearing*. Thereafter, on July 22, 2020, the Commission issued its *Order Directing Responses to Request for Notice and Request for Public Hearing*, wherein it directed Confluence Rivers and Staff to file responses to OPC’s requests for notice and local public hearing.<sup>1</sup>

2. Confluence Rivers does not object to the OPC’s request for a virtual public hearing and believes there is no reason to delay such hearing. Accordingly, Confluence Rivers moves the Commission to establish the following schedule for such virtual public hearing:

- The public hearing to begin at **6 p.m. on August 12 or 13, 2020**,<sup>2</sup> via the internet based video and teleconferencing service, WebEx;

---

<sup>1</sup> The Commission further suspended any obligation to respond to Staff’s July 17, 2020 recommendation until further order.

<sup>2</sup> Either of these dates are acceptable to Confluence Rivers, the Staff of the Commission, and OPC.

- No later than August 3, 2020, Confluence Rivers shall mail written notice of the hearing to customers in the form attached hereto as **Appendix A**. That notice includes:
  - a. Instructions for registering to participate in the virtual public hearing, which shall include the email address jointly proposed by the parties, [confluenceriverscomments@psc.mo.gov](mailto:confluenceriverscomments@psc.mo.gov);
  - b. An invitation to submit written comments about the utility's rates and quality of service and instructions for submitting written comments and questions;
  - c. Deadlines for registration and for submission of written comments and questions;
  - d. Information about the availability of a live web stream of the audio of the public hearing, available at [www.psc.mo.gov](http://www.psc.mo.gov);
- Staff shall accept registrations until 5 p.m. August 7, 2020, and shall submit a complete list of registrants to the regulatory law judge no later than 10 a.m. August 10, 2020. The registrant list shall indicate each registrant's first and last name and whether each registrant will connect to the hearing via internet or by telephone;
- Those who register to participate by phone will receive dial-in information when registration is confirmed.

3. Counsel for OPC and the Staff of the Commission have indicated that they have no objection to the virtual public hearing schedule and customer notice proposed herein.

**WHEREFORE**, Confluence Rivers Utility Operating Company, Inc., respectfully

requests that the Commission set a public hearing as proposed herein.

Respectfully submitted,

**BRYDON, SWEARENGEN & ENGLAND P.C.**



Dean L. Cooper, MBE #36592  
Jennifer L. Hernandez #59814  
312 E. Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65012  
(573) 635-7166 telephone  
(573) 635-0427 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)  
[jhernandez@brydonlaw.com](mailto:jhernandez@brydonlaw.com)

**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 by electronic mail on this 27<sup>th</sup> day of July, 2020 to all counsel of record.



---



# CONFLUENCE RIVERS

Utility Operating Company

A CSWR Managed Utility

Dear Resident,

Confluence Rivers Utility Operating Company, Inc. (Confluence Rivers) has filed an application with the Missouri Public Service Commission seeking Commission authorization for Confluence Rivers to acquire the assets of Branson Cedars Resort Utility Company LLC (Branson Cedars) and its Certificates of Convenience and Necessity (CCNs); the issuance of new CCNs related to the acquisition of the currently unregulated systems of Fawn Lake Water Corp. (Fawn Lake), Freeman Hills Subdivision Assoc. (Freeman Hills), P.A.G. LLC, d/b/a Prairie Heights Water Company (Prairie Heights), and a sewer system located in DeGuire Subdivision (DeGuire); and, the expansion of its current Villa Ridge service territory.

Existing rates are proposed to be adopted, with future rate changes possible after the completion of plant improvements. After completing the proposed acquisition, Confluence Rivers plans to construct numerous improvements to address degradation due to age and environmental compliance issues.

As a result of precautions associated with the COVID-19 virus, the associated restrictions on public gatherings, and other recommended social distancing measures, a virtual public hearing is scheduled to begin at 6 p.m. on August [12] or [13], 2020 via the internet-based video and teleconferencing service, WebEx. Customers who wish to provide comments on the record to the Commission during the public hearing must register before 5 p.m. on August 7, 2020. To register, please send an email to [confluenceriverscomments@psc.mo.gov](mailto:confluenceriverscomments@psc.mo.gov) with your first and last name, and whether you will connect to the public hearing via internet or by phone. If you register to connect via internet, you will receive an email invitation with access information by no later than 5 p.m. on August 11, 2020. Those who register to participate by phone will receive dial-in information when registration is confirmed. A live audio web stream of the public hearing will also be available at the PSC's website, [www.psc.mo.gov](http://www.psc.mo.gov), for those who are not registered to participate in the public hearing.

Customers are also invited to submit written comments to the Public Service Commission Staff and/or the Office of the Public Counsel, which represents the public in matters before the Commission regarding the proposed sale of the water and sewer systems. Your comments should include a reference to Case Number WM-2020-0282. The Commission Staff and the Public Counsel will review all customer comments submitted in response to this notice. All comments will also be filed in the official case file for review by the Commissioners.

Public Service  
Commission  
Attn: Water/Sewer Dept.  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 800-392-4211  
Fax: 573-751-1847  
E-Mail: [watersewercomments@psc.mo.gov](mailto:watersewercomments@psc.mo.gov)

Office of the Public  
Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
Phone: 866-922-2959  
Fax: 573-751-1847  
E-Mail: [mopco@opc.mo.gov](mailto:mopco@opc.mo.gov)

APPENDIX A



To submit your comments via the Commission's Website:

- 1.) Go to <http://www.psc.mo.gov>
- 2.) Click on the Submit Comments box under the "How Do I..." heading on the right top of the page
- 3.) From this page click on the "submit comment" link found under "Submit Comments in Writing"
- 4.) Fill out the submit the Public Comments form, including the case number shown above. If you want to attach a document, before clicking the "Submit" button, click the "Attach" button. There are instructions on that page for attaching the document and returning to the previous screen.
- 5.) Click the "Submit" button at the bottom of the page.

If you have questions, please contact Confluence Rivers at 314-736-4672 or any of the above public offices.

Josiah Cox,  
Confluence Rivers Utility Operating Company, Inc.

DRAFT