

**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) **Case No. WA-2019-0185**
and Sewer Assets and for a Certificate)
Of Convenience and Necessity)

LIST OF ISSUES OF CERTAIN PARTIES

COMES NOW the Office of the Public Counsel (OPC), by and through counsel, on behalf of Reflections Condominium Owners Association, Inc., Great Southern Bank, Public Water Supply District No. 5 of Camden County, Missouri, Lake Area Waste Water Association, Inc., Missouri Water Association, Inc., Cedar Glen Condominium Owners Association, Inc. (Cedar Glen), and the OPC; and for their *List of Issues of Certain Parties* present as follows:

LIST OF ISSUES

- I.** Motion to Dismiss
 - a. Should the portion of Osage Utility Operating Company’s (OUOC) amended application involving the Reflections water and sewer systems be dismissed from this proceeding?

- II.** Public Interest
 - a. Would the sale of Osage Water Company’s certificates of convenience and necessity and its water and sewer assets to Osage Utility Operating Company be detrimental to the public interest?

 - b. If the Motion to Dismiss is not granted, should the Commission grant Certificates of Convenience and Necessity to Osage Utility Operating Company associated with the Reflections systems?

- III.** Acquisition Premium
 - Should the Commission approve an acquisition premium for the acquisition of the Osage Water Company, and, if the Motion to Dismiss is not granted, the Reflections Systems under 20 CSR 4240-10.085?

The Public Water Supply District No. 5 of Camden County, Missouri, Lake Area Waste Water Association, Inc., Missouri Water Association, Inc., and Cedar Glen Condominium Owners Association, Inc. approved the filing of this List of Issues by the OPC; however they reserve their right to challenge the standard that should be applied in this case where there are competing offers to purchase the systems that are the subject of the pending application.

HEARING SCHEDULE

Pursuant to the Commission's order, hearings will start each day at 9:00am. In addition to the hearing schedule offered by the Staff of the Public Service Commission, the OPC offers that the following be added to the forefront of the Commission's scheduled hearing:

Tuesday September 17

Hearing on Motion to Dismiss

- a.** Reflections Condominium Owners Assoc. opening argument
- b.** Great Southern Bank opening argument
- c.** Osage Utility Operating Company Rebuttal
- d.** Sur-Rebuttal of Reflections Condominium Owners Assoc.
- e.** Sur-Rebuttal of Great Southern Bank

Wherefore, on behalf of the aforementioned parties, the OPC offers their presentation of the list of issues and recommended beginning to the evidentiary hearing schedule.

Respectfully,

OFFICE OF THE PUBLIC COUNSEL

/s/ Caleb Hall

Caleb Hall, #68112

Senior Counsel

200 Madison Street, Suite 650

Jefferson City, MO 65102

P: (573) 751-4857

F: (573) 751-5562

Caleb.hall@ded.mo.gov

**Attorney for the Office of the Public
Counsel**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 9th day of September, 2019, with notice of the same being sent to all counsel of record.

/s/ Caleb Hall