

**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)		SM-2020-0283
of Convenience and Necessity)		

**NOTICE OF VOLUNTARY DISMISSAL
RELATED TO THE ACQUISITION OF THE
TERRE DU LAC WATER AND SEWER SYSTEMS**

COMES NOW Confluence Rivers Utility Operating Company, Inc., (“Confluence Rivers” or “Company) pursuant to Missouri Public Service Commission (“Commission”) Rule 20 CSR 4240-2.116(1), and states the following to the Commission as its *Notice of Voluntary Dismissal Related to the Acquisition of the Terre Du Lac Water and Sewer Systems*:

1. As part of its *Application and Motion for Waiver* filed March 11, 2020, and *Supplement to Application* filed March 23, 2020 (known collectively herein as “*Application*”), Confluence Rivers seeks authority to purchase substantially all the water and sewer utility assets of Terre Du Lac, including the Certificate of Convenience and Necessity (“CCN”). Confluence Rivers’ request is more specifically described in the *Application* and under the terms and provisions of the *Purchase and Sale Agreement*, as amended by the *First Amendment to Purchase and Sale Agreement* (known collectively herein as the “*Terre Du Lac Agreement*”).

2. On May 8, 2020, pursuant to Commission Rule 20 CSR 4240-10.085, Confluence Rivers filed in this case its *Application for Acquisition Incentive Related to the Acquisition of the Terre Du Lac Nonviable Water and Sewer Systems*. Thereafter, on May 15, 2020, the Staff of the Commission (“Staff”) filed its *Motion to Dismiss, or in the Alternative For Additional Notice and Re-Establishment of an Intervention Period*.

3. Confluence Rivers does not object to the additional notice and intervention period proposed by Staff as an alternative. However, the Company believes this would be best addressed in a separate case. Accordingly, Confluence Rivers voluntarily dismisses, without prejudice, that aspect of its *Application* that concerns Terre Du Lac so it can refile an application solely addressing the Terre Du Lac systems. All other systems addressed by the *Application* remain (Confluence Rivers' *Application* also proposes the purchase of the water and sewer assets of Branson Cedar Resort Utility Company, LLC, a public utility subject to the jurisdiction and supervision of the Commission, as well as the water and/or sewer assets of the currently unregulated systems of Fawn Lake Water Corp., Freeman Hills Subdivision Assoc., P.A.G LLC, d/b/a Prairie Heights Water Company, and a sewer system located in DeGuire Subdivision, Fredericktown, Missouri).

4. Commission Rule 20 CSR 4240-2.116(1) states that "An applicant . . . may voluntarily dismiss an application . . . without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties." Prepared testimony has not been filed, nor oral evidence offered, in this case. Accordingly, Confluence Rivers hereby provides its *Notice of Voluntary Dismissal Related to the Acquisition of the Terre Du Lac Water and Sewer Systems*.

WHEREFORE, Confluence Rivers Utility Operating Company, Inc., respectfully requests that the Commission recognize this *Notice of Voluntary Dismissal Related to the Acquisition of the Terre Du Lac Water and Sewer Systems* pursuant to Commission Rule 20 CSR

4240-2.116(1).

Respectfully submitted,

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**ATTORNEYS FOR CONFLUENCE RIVERS
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail on this 1st day of June, 2020 to all counsel of record.



