

Foxfire has no other water or sewer systems. The primary owner of Foxfire is now 70 years old, has been involved in the water and sewer business for approximately 48 years, and wishes to fully retire. He has no intention to be involved in any capacity with the operation, maintenance, or management of public drinking water systems or wastewater collection and treatment systems in the future.

Ozarks Clean Water Company is a nonprofit sewer company under Sections 393.825-393.861, RSMo, and a nonprofit water company under Sections 393.900-393.954, RSMo.

OCWC currently provides water and sewer service to 2,380 locations, consisting of 1,860 sewer connections, 300 water only and 220 water and sewer connections at the same property, all provided through 9 permitted and 4 non-permitted water systems, 19 permitted sewer systems, 1 sewer treatment system, 2 sewer collection systems, and 1 interceptor sewer that does not require permits. OCWC enjoys a positive working relationship with the Missouri Department of Natural Resources, which has relayed to Staff that there are “no outstanding concerns with service issues” with any OCWC system.¹

OCWC’s financial structure is layered to address multiple improvement and maintenance plans for all its properties. OCWC rates include operation, maintenance, administration, overhead, and reserve for repair. Currently, OCWC’s Board of Directors has established a reserve account funded at 75% of its annual operation and maintenance budget.

OCWC proposes to use the existing rates for Foxfire customers for at least one year following the acquisition. Further, Customers will receive several conveniences associated with OCWC ownership that are not currently available with Foxfire. These benefits include ACH

autopayment, e-mail billing, online payments and account histories, text alerts, and a nearby office and drop box for payments.

OCWC has economies of scale, experience, technical ability, and financial wherewithal that will enable it to provide water and sewer service to the Foxfire customers and is in all ways qualified to own and operate the Foxfire water and sewer assets. The Commission should approve the proposed transaction.

Casaletto, Direct and Surrebuttal, All.
Helms, Direct and Surrebuttal, All.

2. If so, what conditions, if any, should the Commission impose on such approval?


The Companies' Position:

The Commission should authorize the transfer of assets from Foxfire to OCWC subject to the five (5) conditions proposed by Staff in its *Recommendation* filed June 28, 2022.

Casaletto, Direct., p. 7.

WHEREFORE, Foxfire Utility Company and Ozarks Clean Water Company respectfully request that the Commission accept and consider this *Statement of Position*.

Respectfully submitted,



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¹ Staff's *Memorandum*, p. 2.

**ATTORNEYS FOR FOXFIRE UTILITY
COMPANY AND OZARKS CLEAN WATER
COMPANY**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following this 19th day of October, 2022:

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