

Missouri Public Service Commission
Data Center
P.O. Box 360
Jefferson City, Missouri 65102-0360

MO 419-2651 (9-10)



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Missouri Public
Service Commission

Smithview H2O Company
Legal Department
802 E. County Line
Clark, MO 65243

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**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 and Sewer Assets, For a Certificate of)	<u>File No. WM-2018-0116</u>
Convenience and Necessity, and, in Connection)	<u>File No. SM-2018-0117</u>
Therewith, To Issue Indebtedness and Encumber)	
Assets)	

**ORDER REQUIRING LAKE PERRY TO REPLY AND
STAFF TO FILE RECOMMENDATION**

Issue Date: December 3, 2018

Effective Date: December 3, 2018

On November 21, 2018, Lake Perry Lot Owners' Association ("Intervenor") filed a Motion to Compel Answers to Certain Data Requests ("Motion"). On November 30, 2018, Confluence Rivers Utility Operating Company, Inc., (the "Company") filed a Response to Motion to Compel ("Response"). The Commission has carefully reviewed the Motion and Response. The Commission notes that the dispute turns on the question of whether the information which Intervenor seeks is relevant or reasonably calculated to lead to the discovery of admissible evidence. The Commission, accordingly, anticipates that its ruling on the Motion will depend upon the relationship between the evidence to be discovered and the ultimate material issues which the Commission must resolve in this cause. The Commission also notes that its Order Adopting Procedural Schedule required the parties to file a List of Issues on or by January 17, 2019.

The Commission will order the Intervenor to Reply to the Company's Response and Staff to file a recommendation on the Motion. The Office of Public Counsel ("OPC) may also file a recommendation. The Commission will order the Intervenor, Staff (and OPC, if it

files a recommendation) to brief the discovery question in terms of the ultimate material issues which the Commission must resolve in this cause, listing those issues with exact specificity.

THE COMMISSION ORDERS THAT:

1. Lake Perry Lot Owners' Association ("Intervenor") is ordered to file a Reply to the Response mentioned in the body of this Order no later than December 7, 2018.

2. The Staff of the Missouri Public Service Commission ("Staff") is ordered to file a recommendation concerning the Motion mentioned in the body of this Order ("Motion") no later than December 7, 2018.

3. The Office of Public Counsel ("OPC") may file a recommendation on the Motion. If OPC chooses to file a recommendation, OPC shall do so no later than December 7, 2018.

4. Any party filing a reply or recommendation shall list with exact specificity every ultimate material issue involved in the Motion which the Commission will have to resolve in this cause.

5. This order will be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Paul T. Graham, Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2016.

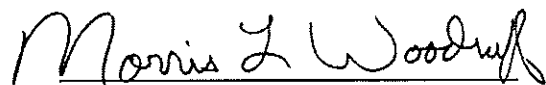
Dated at Jefferson City, Missouri,
on this 3rd day of December, 2018.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, Missouri, this 3rd day of December 2018.


Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 3, 2018

File/Case No. WM-2018-0116 and SM-2018-0117

**Missouri Public Service
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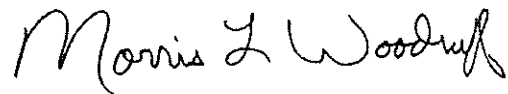
Roy-L Utilities, Inc.
Legal Department
366 Hwy. F
High Hill, MO 63350

Smithview H2O Company
Legal Department
802 E. County Line
Clark, MO 65243

Willows Utility Company, The
Legal Department
P.O. Box 140099
Dallas, TX 75214

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.