

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

In the Matter of the Application of Confluence)
Rivers Utility Operating Company, Inc., for a)
Certificate of Convenience and Necessity and)
Associated with the Acquisition of Certain)
Water Assets)

File No. WA-2023-0003

RESPONSE TO STAFF RECOMMENDATION

COMES NOW Confluence Rivers Utility Operating Company, Inc. (“Confluence Rivers”), and for its *Response to Staff Recommendation* states as follows to the Missouri Public Service Commission (“Commission”):

1. On July 1, 2022, Confluence Rivers filed an *Application and Motion for Waiver* (“Application”) with the Missouri Public Service Commission (“Commission”) requesting a Certificate of Convenience and Necessity (“CCN”) authorizing it to install, own, acquire, construct, operate, control, manage, and maintain certain water system assets currently served by Tan Tar A in Camden County, Missouri.

2. On October 24, 2022, Staff filed its *Staff Recommendation*. Therein Staff stated it is not opposed to this transaction in principle but was looking for additional information concerning the supply of water, among other things.

3. The Commission issued its *Order Directing Response* on October 26, 2022, directing Confluence Rivers to respond to Staff’s recommendation by November 3, 2022.

4. The *Staff Recommendation* generally addresses three issues concerning Confluence Rivers – Assets Being Acquired/Retained; Easement Location; and the Water Supply Agreement. Confluence Rivers has provided Staff with additional information as to these issues. That information is described as follows:

Assets Being Acquired/Retained – Confluence Rivers has provided Staff with a better reproduction (the source pdf file, rather than a scanned document) of the asset map describing assets to be purchased by Confluence Rivers and assets to be retained by the Seller. Additionally, Confluence Rivers notes that paragraph 12 of the Application stated that “CSWR proposes to purchase substantially all of Tan Tar A’s water system assets serving Camden County, excepting the Margaritaville Lake Resort, as specifically described in, and under the terms and provisions of, the *Agreement for Sale of Utility System.*” The referenced Agreement, on page 2, indicates that wells will be retained by Seller.

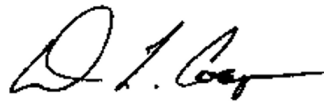
Easement – Confluence Rivers has provided Staff with a map showing the parameters of the proposed easement referenced by Staff.

Water Supply Agreement – Confluence Rivers has provided Staff with a revised Water Supply Agreement with Tan Tar A State Road, LLC, d/b/a KK Water Supply, along with a copy of the fictitious name registration related to KK Water Supply. Further, the revised agreement recites, among other things, “Whereas, Supplier owns the water wells in Camden County identified by the Missouri Department of Natural Resources under Supplier’s fictitious name KK Water Supply.” Confluence Rivers affirmatively states that this is the agreement discussed in paragraph 9C of the purchase agreement and further satisfies paragraph 30 of the purchase agreement, as questioned by Staff.

5. Accordingly, Confluence Rivers believes that it has addressed the issues identified in the Staff Recommendation and asks that the Commission direct Staff to file a recommendation taking in to account the information referenced above.

WHEREFORE, Confluence Rivers requests the Commission consider this response to comply with its *Order Directing Response* and, thereafter, issue such order as it deems appropriate in the circumstances.

Respectfully submitted,



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**ATTORNEYS FOR CONFLUENCE RIVERS
UTILITY OPERATING COMPANY, INC.**

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 3rd day of November 2022 to all counsel of record.

