

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

In the Matter of the Application of Confluence)
Rivers Utility Operating Company, Inc., for)
Certificates of Convenience and Necessity to) **File No. WA-2023-0284**
Provide Water and Sewer Service in an Area)
of Johnson County, Missouri.)

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 March 14, 2023, Confluence Rivers filed an *Application and Motion for Waiver* (“*Application*”) requesting authority from the Commission to acquire all or substantially all of the water and sewer assets of the currently unregulated systems of Four Seasons North MHP, LLC, and permission, approval and Certificates of Convenience and Necessity to construct, install, own, operate, maintain, control and manage water and sewer systems for the public in an area of Johnson County, Missouri, as an addition to its existing service territories.

2. On March 15, 2023, the Commission issued its *Order Directing Notice, Setting Dates For Intervention Requests, And Directing Filing Of Staff Recommendation* (“*Order Directing Notice*”). The *Order Directing Notice* directed Staff to file its recommendation regarding the *Application*, or a request for additional time to file a recommendation, no later than May 3, 2023.

3. On May 1, 2023, Staff filed a *Status Report* and requested an extension until June 21, 2023, to file its recommendation regarding Confluence Rivers’ *Application*. On May 3, 2023, the Commission issued its *Order Shortening Time to Respond To Staff’s Request For Extension of*

Time (“*Order Shortening Time*”). The *Order Shortening Time* directed parties to respond to Staff’s request for an extension by no later than May 5, 2023.

4. On May 4, 2023, Confluence Rivers filed its *Response to Order Shortening Time To Respond to Staff’s Request For Extension of Time* and stated that it would not object to Staff’s request for an extension of time until June 21, 2023.

5. On May 10, 2023, the Commission issued its *Order Regarding Extension* and granted Staff’s request for an extension. The *Order Regarding Extension* directed Staff to submit its recommendation or file an alternative pleading no later than June 21, 2023.

6. On June 20, 2023, Staff filed its *Staff Recommendation* and supporting *Memorandum* finding that the issuance of a CCN to Confluence Rivers is necessary or convenient for the public service, and recommended the Commission grant Confluence Rivers’ *Application*, subject to the conditions described in Staff’s *Memorandum*. Staff also stated it does not oppose a waiver of Rule 20 CSR 4240-4.017(1).

7. Confluence Rivers has reviewed the proposed conditions listed on pages 10 through 12 of Staff’s *Memorandum* and states that it has no objection to the proposed conditions.

WHEREFORE, Confluence Rivers requests the Commission issue an order approving Confluence Rivers’ *Application* and granting Confluence Rivers a CCN as recommended in Staff’s *Memorandum*, granting a waiver of Rule 20 CSR 4240-4.017(1), and for such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,

/s/ Dean L. Cooper

Dean L. Cooper MBE #36592

Jennifer L. Hernandez MBE #59814

BRYDON, SWEARENGEN & ENGLAND P.C.

312 E. Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102
(573) 635-7166 telephone
dcooper@brydonlaw.com
jhernandez@brydonlaw.com

David L. Woodsmall MBE #40747
Central States Water Resources
1630 Des Peres Rd., Suite 140
Des Peres, MO 63131
dwoodsmall@cswrgroup.com

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

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail this 30th day of June 2023 to all counsel of record.

/s/ Dean L. Cooper