

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

The Staff of the Missouri Public Service Commission, )  
)  
)  
Complainant, )  
)  
v. )  
)  
Smithview H2O Company, )  
John Kuhle and Kuhle H2O Company, )  
)  
Respondents )

**Case No. WC-2016-0141**

**NOTICE OF VOLUNTARY DISMISSAL**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and hereby states:

1. On February 14, 2019, the Commission issued its *Order Approving Stipulation and Agreement and Granting Certificates of Convenience and Necessity* in Case No. WM-2018-0116, which, among other things, approved the sale of Smithview H2O Company's (Smithview) assets to Confluence Rivers Operating Company, Inc. (Confluence Rivers).

2. On March 8, 2019, the Commission issued its *Order Directing Staff to Explain Whether Complaint Should be Dismissed*, ordering Staff to file a pleading indicating whether this complaint should be dismissed. On March 29, 2019, Staff filed its *Response to Order* recommending that the Commission delay dismissing this complaint until notice of closing has been received, and committing to update the Commission as soon as it learned of the completion of the transaction.

3. Since that time, Confluence Rivers has confirmed to Staff that it has closed on the sale of Smithview's assets, and on May 9, 2019, filed a proposed tariff with the

Commission adopting Smithview's currently effective water rates.<sup>1</sup> Staff recommended approval of that tariff on May 20, 2019, and Confluence Rivers' tariff will become effective June 8, 2019. As such, pursuant to Commission Rule 4 CSR 240-2.116(1), Staff hereby voluntarily dismisses this case.

Respectfully submitted,

**/s/ Mark Johnson**

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was delivered to the parties and/or their counsel of record by U.S. Postal Service postage prepaid, or by hand, or served electronically, on this 21<sup>st</sup> day of May, 2019.

**/s/ Mark Johnson**

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<sup>1</sup> On May 10, 2019, Confluence Rivers filed a substitute proposed tariff sheet at Staff's request.