

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
Confluence Rivers Utility Operating Company, Inc.,) **File No. WA-2019-0299**
for Authority to Acquire Certain Water and Sewer)
Assets and for a Certificate of Convenience and)
Necessity)

NOTICE CLARIFYING EVIDENTIARY HEARING

Issue Date: May 13, 2020

On April 19, 2020, Confluence Rivers Utility Operating Company (Confluence Rivers) filed a Motion for Clarification regarding the upcoming evidentiary hearing on the net book value of Port Perry Service Company. Confluence Rivers argued that the filed nonunanimous stipulation is a unanimous stipulation as to the factual matter contained in the Net Book Value Stipulation. Confluence Rivers requested clarification as to what facts the Commission would like the parties to address at the upcoming hearing.

Under Commission rule, the objected-to Net Book Value Stipulation becomes merely a position statement of the signatories to the stipulated position.¹ Any Commission decision must be based on competent and substantial evidence and the position statement is not itself evidence upon which the Commission can base its decision. Before the Commission can consider evidence, it must be presented to the Commission through the hearing process.² Thus, a hearing will be required.

¹ 20 CSR 4240-2.115(2)(D).

² The evidence could also be submitted through a **unanimous** stipulation and agreement of the parties.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 13th day of May, 2020.