

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 4th day of January, 2023.

In the Matter of Confluence Rivers Utility)	
Operating Company, Inc.'s Request for)	<u>File No. WR-2023-0006</u>
Authority to Implement a General Rate)	Tracking Nos. YW-2023-0113
Increase for Water Service and Sewer)	
Service Provided in Missouri Service)	
Areas)	

In the Matter of Confluence Rivers Utility)	
Operating Company, Inc.'s Request for)	<u>File No. SR-2023-0007</u>
Authority to Implement a General Rate)	Tracking Nos. YS-2023-0114
Increase for Water Service and Sewer)	
Service Provided in Missouri Service)	
Areas)	

**ORDER SUSPENDING TARIFF, GIVING NOTICE OF CONTESTED
CASE, DELEGATING AUTHORITY, AND SCHEDULING AN
EVIDENTIARY HEARING**

Issue Date: January 4, 2023

Effective Date: January 4, 2023

On December 21, 2022, Confluence Rivers Utility Operating Company, Inc. (Confluence or "the Company") filed proposed tariffs to produce an additional \$1,286,748 in annual water revenues from 26 water service areas and an additional \$1,862,116 in annual sewer revenues from 39 sewer service areas. Individual rate changes proposed by the Company differ from water to sewer and by service area because of the variety of rates currently in use. The tariffs have a proposed effective date of January 20, 2023.

A. Suspension of Tariff

Section 393.150 RSMo (2016), authorizes the Commission to suspend the effective date of proposed tariffs for 120 days, plus an additional six months to allow for a hearing. To provide sufficient time to determine if Confluence's proposed tariffs are just

and reasonable,¹ the Commission will suspend the tariffs for 120 days beyond their effective date. The Commission’s experience demonstrates that a full hearing cannot be concluded within 120 days, so the Commission will suspend the tariffs for an additional six months.²

B. Notice of Contested Case

Suspension of the tariff may occur only pending a “full” hearing and decision on the tariff’s propriety.³ The provision for a full pre-decision hearing signifies that this action is now a “contested case.”⁴ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,⁵ including by stipulation and agreement.⁶ The Commission’s discovery regulations may be found at 20 CSR 4240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁷ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery.

¹ Section 393.140(5), RSMo. Unless otherwise noted, all statutory references are to the Revised Statutes of Missouri as codified in 2016.

² Section 393.150.2, RSMo.

³ Section 393.150.1, RSMo.

⁴ Section 536.010(4), RSMo.

⁵ Section 536.060, RSMo.

⁶ 20 CSR 4240-2.115.

⁷ Section 386.240, RSMo.

THE COMMISSION ORDERS THAT:

1. The proposed tariffs, Tracking Nos. YW-2023-0113 and YS-2023-0114, filed by Confluence are suspended for 120 days from January 20, 2023, to May 20, 2023, plus six months thereafter, until November 20, 2023.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. The evidentiary hearing is scheduled for July 31 through August 11, 2023.
4. The evidentiary hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri, and will begin each day at 9:00 a.m. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in the evidentiary hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.
5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Hatcher, Senior Regulatory Law Judge

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 4th day of January, 2023.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

January 4, 2023

File/Case No. WR-2023-0006 and SR-2023-0007

**Missouri Public Service
Commission**

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**Missouri Public Service
Commission**

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

Sincerely,



**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.