

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

In the Matter of Confluence Rivers Utility)
Operating Company, Inc.’s Request for)
Authority to Implement a General Rate) **File No. WR-2023-0006**
Increase for Water and Sewer Service)
Provided in Missouri Service Areas.)

JOINT RESPONSE REGARDING SETTLED ISSUE

COMES NOW Confluence Rivers Utility Operating Company, Inc. (“Confluence Rivers” or “Company”), through counsel, and on behalf of itself, the Office of the Public Counsel, and the Staff of the Missouri Public Service Commission (“Staff”), provides to the Missouri Public Service Commission (“Commission”) this *Joint Response Regarding Settled Issue* (“*Joint Response*”):

BACKGROUND

1. On September 13, 2023, the Commission issued its *Order Directing Response Regarding Settled Issue*. Therein, the Commission noted that it could not locate any reference to the settlement of Issue 21,¹ Corporate Allocations. The Commission directed that the “parties shall file a response, jointly if possible, to the concerns expressed in the body of this order no later than September 26.”

RESPONSE

2. On August 15, 2023, counsel for Confluence Rivers indicated to the Commission that the Company would be “dropping the corporate allocation issue.” (See **Appendix A**, Tr. Volume 10, page 183, lines 5-7).

¹ As referenced in the *Amended Joint List of Issues, List and Order of Witnesses, Order of Cross-Examination, and Order of Opening Statements*, filed on August 8, 2023.

3. The consequence of this change in position by Confluence Rivers is that Staff's overall allocation factor of 7.97% will be used to allocate CSWR, LLC indirect costs to Confluence Rivers for purposes of the revenue requirement.

WHEREFORE, the Parties respectfully request that the Commission consider this pleading to satisfy its Order Directing Response Regarding Settled Issue.

Respectfully Submitted,

/s/ Kevin A. Thompson

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**ATTORNEYS FOR CONFLUENCE
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties and/or counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 15th day of September 2023.

/s/ Dean L. Cooper

1 JUDGE HATCHER: Thank you for the
2 clarification. And the other two issues will be 21,
3 corporate allocations; 25, capitalization versus
4 expense.

5 MR. WOODSMALL: And while we are
6 proceeding down this road, we also be dropping the
7 corporate allocation issue.

8 JUDGE HATCHER: I don't hear any
9 objections. Sold.

10 So tomorrow we are down to Issue D,
11 operations and maintenance. Since I'm reading stuff
12 out loud, let me grab that real quick.

13 Issue D is should the Commission order a
14 disallowance related to Confluence's contract-based
15 business model, and if so, how much.

16 That issue and capital -- capitalization
17 versus expense.

18 MR. WOODSMALL: Your Honor, and to
19 further clarify, I have no doubt Mr. Thompson was
20 going to raise this, that at least the parties I
21 think were going to waive cross on Mr. Harris and
22 Mr. Williams.

23 MR. THOMPSON: Right.

24 MR. WOODSMALL: Cleaning up the case.

25 JUDGE HATCHER: So noted. Any other