

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Confluence )	
Rivers Utility Operating Company, Inc. to )	
Acquire Certain Water and Sewer Assets, )	<b><u>File No. WM-2018-0116</u></b> <sup>1</sup>
For a Certificate of Convenience and )	Tracking No.: YS-2019-0228
Necessity, and, in Connection therewith, )	Tracking No.: YS-2014-0410
to Issue Indebtedness and Encumber Assets )	

## NOTICE THAT TARIFF WILL BE ALLOWED TO GO INTO EFFECT AND ORDER CANCELLING TARIFF

Issue Date: July 12, 2019

Effective Date: July 24, 2019

On February 14, 2019,<sup>2</sup> the Commission issued its *Order Approving Stipulation and Agreement and Granting Certificates of Convenience and Necessity* (“Order”) approving the Application of Confluence Rivers Utility Operating Company, Inc., (the “Company”) to acquire certain water and sewer assets and the existing certificates of convenience and necessity (“CCN”) held by the selling companies and granting new CCNs for the areas served by the selling companies that had none. The *Order* specifically approved the Company’s acquisition of two sewer systems operated by M.P.B., Inc. – Villa Ridge and Lake Virginia (*Unanimous Stipulation and Agreement*, p. 4).

On April 29, the Company advised the Commission that it had closed on the Villa Ridge system but had been unable to close on the Lake Virginia system because of an easement issue. After further motions and orders, on May 31 the Commission ordered the Company to file tariffs sheets. On June 6, the Company filed proposed tariff sheets, YS-2019-0220, to incorporate the Villa Ridge Sewer system into the sewer tariff currently

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<sup>1</sup> This case has been consolidated with SM-2018-0117. *Order Consolidating Actions*, November 26, 2018.

<sup>2</sup> All dates will refer to 2019 unless otherwise indicated.

in effect for Confluence Rivers Utility Operating Company applicable to the Mill Creek service area. On June 14, Staff filed its recommendation to approve the Villa Ridge tariff sheets. Receiving no responses to the Villa Ridge tariff sheets or Staff's recommendation, on June 25 the Commission issued notice that it would allow Tariff No. YS-2019-0220 to become effective on July 6.

In the meantime, Confluence Rivers had closed on the Lake Virginia sewer system on June 21, 2019. On June 24, the Company filed proposed Lake Virginia tariff sheets, YS-2019-0228. Each of the Lake Virginia tariff sheets bore an issue date of June 24, 2019, and a proposed effective date of July 24, 2019. On June 24, the Commission issued its order requiring the Staff to file a recommendation on the Lake Virginia tariff sheets and set July 11 as the deadline for objections or responses to the tariff sheets and/or Staff's recommendation.

On June 27, the Staff filed its *Recommendation to Approve Tariff Sheets*. Staff advised that the Lake Virginia tariff sheets (YS-2019-0228) were compliant with the *Unanimous Stipulation and Agreement* and the Commission's *Order*, and recommended approval. Staff went on to observe that the M.P.B., Inc. tariff book,<sup>3</sup> which had remained in effect for the Lake Virginia sewer system pending resolution of the easement issue and the Company's acquisition of that system, would no longer be necessary if the Commission approved the Lake Virginia tariff sheets. The Staff, accordingly, recommended that should the Commission approve the proposed Lake Virginia tariff sheets, then the Commission should also cancel the applicable M.P.B., Inc. tariff.

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<sup>3</sup> YS-2014-0410.

The Commission has received no objections or responses to Staff's recommendation that Revised Tariff YS-2019-0228 be approved. Given Staff's recommendation and no opposition to the tariff's taking effect, the Commission will allow Tariff No. YS-2019-0228 to go into effect on July 24, 2019. The Commission has also received no objections or responses to Staff's recommendation that the Commission cancel the M.P.B., Inc. tariff applicable to the Lake Virginia sewer system. The Commission finds that the M.P.B., Inc. tariff applicable to this system will no longer be necessary when Revised Tariff YS-2019-0228 goes into effect and will cancel M.P.B., Inc. Tariff YS-2014-0410. The effective date of the cancellation will coincide with the effective date of Tariff YS-2019-0228.

**THE COMMISSION ORDERS THAT:**

1. The Commission will allow Tariff YS-2019-0228, applicable to the Lake Virginia sewer system, to become effective on July 24, 2019.
2. The Commission cancels M.P.B., Inc.'s Tariff YS-2014-0410, effective July 24, 2019.
3. This Order shall be effective on July 24, 2019.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Paul T. Graham, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 12<sup>th</sup> day of July, 2019.

**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 12<sup>th</sup> day of July 2019.



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 12, 2019**

**File/Case No. WM-2018-0116**

**Missouri Public Service Commission**

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**Willows Utility Company, The**

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

**Sincerely,**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent 'M' and 'W'.

**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.