

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

In the Matter of the Application of Confluence)
Rivers Utility Operating Company, Inc., for)
Authority to Acquire Certain Sewer Assets in an) File No. SM-2024-0130
Area of Warren County, Missouri (North Oak Sewer)
District, Inc.))

RESPONSE TO CORRECTED STAFF RECOMMENDATION

COMES NOW Confluence Rivers Utility Operating Company, Inc., (“Confluence Rivers”) and for its *Response to Corrected Staff Recommendation* states as follows to the Missouri Public Service Commission ("Commission"):

1. On September 29, 2023, Confluence Rivers filed an *Application and Motion for Waiver* (“Application”) requesting authority from the Commission to acquire all or substantially all of the sewer assets of the currently regulated system of North Oak Sewer District, Inc. (“North Oak”), and to transfer the Certificate of Convenience and Necessity (“CCN”) to operate the system and provide sewer service to the public in the North Oak subdivision in Warren County, Missouri, as an addition to its existing service territories.

2. On October 24, 2023, the Commission issued its *Order Directing Filing of Staff Recommendation*. This Order directed Staff to file its recommendation, or a status report stating when Staff expected to file its recommendation, no later than November 29, 2023.

3. On November 29, 2023, Staff filed a *Status Report* requesting an extension until January 12, 2024 to file its recommendation regarding Confluence Rivers’ Application. On December 4, 2023, the Commission issued its *Order Directing Filing of Staff Recommendation* granting Staff’s request and setting the filing deadline for Staff’s recommendation no later than January 12, 2024.

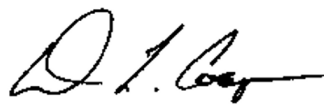
4. On January 12, 2024, Staff filed its *Staff Recommendation* and supporting *Memorandum* suggesting that the Commission either transfer the existing CCN, or in the alternative, grant Confluence Rivers a new CCN for the North Oak system, subject to the conditions listed in Staff's *Memorandum*. Staff's *Recommendation* and accompanying *Memorandum* were silent as to the requested waiver of Rule 20 CSR 4240-4.017(1).

5. On January 16, 2024, the Commission issued its *Order Directing Filing of Corrected Staff Recommendation and Company Response* directing Staff to correct an error contained in the header of its *Memorandum* no later than January 18, 2024, and Confluence Rivers to respond to Staff's *Recommendation* and *Memorandum* no later than January 22, 2024.

6. Confluence Rivers has reviewed the proposed conditions listed on pages 13 and 14 of Staff's *Memorandum* and states that it has no objection to the proposed conditions.

WHEREFORE, Confluence Rivers requests the Commission issue an order approving Confluence Rivers' Application, grant Confluence Rivers a CCN as recommended in Staff's *Memorandum*, grant a waiver of Rule 20 CSR 4240-4.017(1), and grant such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,



Dean L. Cooper, Mo. Bar #36592

Jesse W. Craig, Mo. Bar #71850

BRYDON, SWEARENGEN & ENGLAND P.C.

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

Telephone: (573) 635-7166

Facsimile: (573) 635-0427

dcooper@brydonlaw.com

jcraig@brydonlaw.com

David L. Woodsmall, Mo. Bar #40747
CENTRAL STATES WATER RESOURCES
1630 Des Peres Rd., Suite 140
Des Peres, MO 63131
dwoodsmall@cswrgroup.com

**ATTORNEYS FOR CONFLUENCE RIVERS
UTILITY OPERATING COMPANY, INC.**

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 22nd day of January 2024 to all counsel of record.

