

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

In the Matter of the Application of)
Confluence Rivers Utility Operating)
Company, Inc. and United Fiber, LLC)
d/b/a United Fiber MO, LLC, for Authority) **File No. SM-2025-0080**
to Acquire and Sell Certain Sewer Assets)
in an Area of Nodaway and Andrew)
Counties, Missouri.)

**STAFF’S MOTION FOR LEAVE TO FILE
AMENDED STAFF MEMORANDUM AND TO AMEND
STAFF’S RECOMMENDED CCN ORDERS AND CONDITIONS**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and requests the Commission’s leave to file an amended staff memorandum and to amend Staff’s recommended CCN orders and conditions, stating further:

1. On September 4, 2024,¹ Confluence Rivers Utility Operating Company, Inc. (Confluence Rivers) and United Fiber, LLC d/b/a United Fiber MO, LLC (United Fiber) filed a Joint Application and Motion for Waiver (Application) with the Missouri Public Service Commission requesting that the Commission grant United Fiber authority to sell to Confluence Rivers certain sewer assets in an area of Nodaway and Andrew Counties, Missouri.

2. The Application also sought a Certificate of Convenience and Necessity for Confluence Rivers to construct, install, own, operate, maintain, control and manage sewer systems in the public areas of Nodaway and Andrew Counties currently served by United Fiber.

¹ Unless otherwise indicated, all date references are to 2024.

3. Finally, the applicants requested a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1).

4. On November 1, Staff filed its Report and Recommendation. Staff recommended that the Commission waive the Rule 20 CSR 4240-4.017(1) sixty-day notice requirement, grant leave to transfer assets, and grant Confluence Rivers a CCN subject to further Orders and Conditions as set out in Staff's cover pleading and its supporting Memorandum.

5. Paragraph 13 of Staff's November 1 recommendation stated that the Commission should approve Confluence Rivers' proposed monthly charge of \$21.00 for sewer services, and the rules governing sewer service currently located in Confluence Rivers' sewer tariff P.S.C. Mo. No. 31.

6. On November 21, Confluence Rivers and United Fiber filed a Joint Response to Staff's Report and Recommendation. They accepted the recommendation and asked the Commission to approve the Application and grant Confluence Rivers the CCNs "recommended in Staff's Memorandum, subject to the Staff's proposed orders and requirements."

7. Paragraph 13 of Staff's proposed orders and conditions was based upon an error made by Confluence in a data response. *The corrected monthly charge is \$44.92.*

8. Staff has prepared and is filing with this cover pleading an Amended Memorandum containing the corrected amount of \$44.92. The investigation, findings and conclusions set out in the Amended Memorandum support Staff's recommendation that the Commission approve the corrected amount of \$44.92 as Confluence's monthly flat rate charge for sewer service.

9. The Commission has entered no order in this case approving the transfer of assets or the CCNs. The procedural posture of this case is simply that Staff requests leave to amend a recommendation based upon the correction of a data error.

10. Staff, accordingly, seeks the Commission's Order allowing Staff to file its Amended Memorandum and stating that Staff's cover pleading filed on November 1, 2024, is deemed amended such that Paragraph 13 of Staff's recommended orders and conditions shall state:

"Approve Confluence Rivers' proposed monthly charge of \$44.92 for sewer services, and the rules governing sewer service currently located in Confluence Rivers' sewer tariff P.S.C. Mo No. 31."

WHEREFORE, Staff prays for the orders described in the premises and for such other and further orders as the Commission deems necessary and appropriate.

Respectively Submitted,

/s/ Paul T. Graham

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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 counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 23rd day December, 2024.

/s/ Paul T. Graham