

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) **File No. WM-2020-0282**
and Sewer Assets, and For Certificates of)
Convenience and Necessity)

ORDER PROVIDING FOR NOTICE TO CUSTOMERS AND SETTING VIRTUAL PUBLIC HEARING

Issue Date: July 30, 2020

Effective Date: July 30, 2020

On March 11, 2020, Confluence Rivers Utility Operating Company, Inc., applied for authority to acquire sewer and water utility assets in transactions with various entities in multiple Missouri counties.¹ Confluence Rivers seeks authority to acquire the water and sewer utility assets of Branson Cedars Resort Utility Company, LLC in Taney County; the water utility assets of Fawn Lake Water Corp. in Lincoln and Warren counties and of P.A.G. LLC d/b/a Prairie Heights Water Company in Polk County; and the sewer utility assets of Freeman Hills Subdivision Association in Audrain County and of Mr. Mark Edgar in the DeGuire subdivision in Madison County. In addition, Confluence Rivers seeks to expand its existing service area under a certificate of convenience and necessity it holds for sewer service in Villa Ridge subdivision in Franklin County. Finally, Confluence Rivers seeks to acquire, as necessary, new water and/or sewer utility certificates of convenience and necessity associated with the subject assets.

¹ At the time of filing, File No. WM-2020-0282 concerned Confluence Rivers' application as to water utility assets and File No. SM-2020-0283 concerned Confluence Rivers' application as to sewer utility assets. The two files were consolidated on April 17, 2020. On June 1, 2020, Confluence Rivers withdrew from the consolidated case the portion of its application pertaining to Terre Du Lac Utilities Corporation, which serves water and sewer customers in St. Francois and Washington counties. On June 12, 2020, Confluence Rivers filed a new application concerning Terre Du Lac in File No. WM-2020-0403, consolidated with File No. SM-2020-0404.

On July 17, 2020, the Commission's Staff filed its recommendation. On July 20, 2020, the Office of the Public Counsel (OPC) filed a *Motion to Suspend Current Schedule, Request for Notice to Customers, and Request for Local Public Hearing*. Because of limitations on public gatherings due to COVID-19, OPC's request suggested the Commission use a virtual public hearing format. Confluence Rivers responded to OPC's requests with no objections and proposed two dates for virtual public hearing: August 12 and 13. Staff's response indicated no objection.

Based on OPC's request and Confluence Rivers' and Staff's responses, the Commission will establish a date and procedure for virtual public hearing and written notice to customers. While accepting Confluence Rivers' proposed date, this order extends the registration deadline to allow members of the public more time to register. In addition, the Commission will provide for a question-and-answer session to allow registrants to ask questions of party representatives during the hearing. Finally, the Commission will require Confluence Rivers to include instructions for accessing case information in its notice to customers.

THE COMMISSION ORDERS THAT:

1. A public hearing is scheduled to begin at **5:30 p.m. on August 13, 2020**, via the internet-based video and teleconferencing service, Webex. The hearing will end when all registered participants in attendance have had an opportunity to comment.
2. The Commission's Public Policy and Outreach Department shall conduct a question-and-answer session at the beginning of the public hearing.
3. Confluence Rivers, the Commission's Staff and OPC shall each make a representative available to address substantive issues during the question-and-answer

session.

4. To facilitate an orderly presentation that can be preserved for the record, members of the public who wish to participate in the question-and-answer session or make comment to the Commission shall register before the hearing.

5. The parties shall accept registrations until 5 p.m. August 11, 2020, and shall submit a complete list of registrants to the Commission's Public Policy and Outreach Department and the regulatory law judge no later than 10 a.m. August 12, 2020. The registrant list shall indicate each registrant's first and last name, email address and whether each registrant will connect to the hearing via internet or by phone.

6. No later than 10 a.m. August 12, 2020, counsel for the parties shall provide the Commission's Public Policy and Outreach Department the name of one representative of each party who will attend the question-and-answer session. Counsel for the parties shall provide Webex connection instructions to those party representatives who will be present to answer questions during Q&A.

7. Counsel for the parties and those who are registered to connect via internet will receive an email invitation with access information by no later than 5 p.m. August 12, 2020.

8. The party responsible for registering participants shall provide the dial-in instructions to individual registrants who request phone access to the hearing. The regulatory law judge will provide dial-in instructions to the parties by email on the date this order is issued. Dial-in information will also be included with email invitations.

9. A live audio web stream at the Commission's website, www.psc.mo.gov,

will provide audio of the hearing for those who are not registered to participate and wish to observe. Those who do not intend to participate in the question-and-answer session or make comment to the Commission should observe via the web stream.

10. Any person who requires an accommodation to participate in the hearing should contact, before the hearing, the Public Service Commission's hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.

11. The Commission's Public Policy and Outreach Department shall provide a copy of this order to news media serving Audrain, Franklin, Lincoln, Madison, Polk, Taney and Warren counties and to members of the General Assembly representing residents of Audrain, Franklin, Lincoln, Madison, Polk, Taney and Warren counties.

12. The Commission's data center shall provide a copy of this order to the county commissions of Audrain, Franklin, Lincoln, Madison, Polk, Taney and Warren counties.

13. No later than August 3, 2020, Confluence Rivers shall mail written notice of the hearing to customers associated with the water and sewer assets subject to Confluence Rivers' application. In addition to the date and time of hearing, such notice shall include:

- a. Instructions for registering to participate in the virtual public hearing, which shall include the necessary contact information for registration² and the registration deadline;
- b. Instructions for accessing information about this case available at the

² This order does not specify an email address in the event technical problems require the use of a different address. Nonetheless, contact information provided to customers should include a valid email address for registration.

Commission's website, as follows: Case documents may be accessed by entering the case number, WM-2020-0282, at the "Docket Sheet" link, located on the "Submit Comments" page of the Commission's website, https://psc.mo.gov/General/Submit_Comments;

c. An invitation to submit written comments about Confluence Rivers' application and instructions for submitting comments and questions; and

d. Information about the availability of a live web stream of the audio of the public hearing, available at <https://psc.mo.gov>.

14. Confluence Rivers shall file in this case no later than August 5, 2020, an example of the notice mailed to customers.

15. This order shall be effective on July 30, 2020.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Jana C. Jacobs, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on this 30th day of July, 2020.

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 30th day of July 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 30, 2020

File/Case No. WM-2020-0282

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

**Confluence Rivers Utility
Operating Company, Inc.**

Dean L Cooper
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

**Confluence Rivers Utility
Operating Company, Inc.**

Jennifer L Hernandez
312 E. Capitol Avenue
PO Box 456
Jefferson City, MO 65102
jhernandez@brydonlaw.com

County of Audrain, Missouri

County Commission Clerk
101 N. Jefferson, Room 101
Audrain County Courthouse
Mexico, MO 65265
lsmith@audraincounty.org

County of Franklin, Missouri

County Commission Clerk
400 E Locust, Room 206
Franklin County Courthouse
Union, MO 63084
clerk@franklinmo.net

County of Lincoln, Missouri

County Commission Clerk
201 Main St.
Lincoln County Courthouse
Troy, MO 63379

County of Madison, Missouri

County Commission Clerk
1 Courthouse Sq.
Madison County Courthouse
Fredericktown, MO 63645
countyclerk@madisoncountymo.us

County of Polk, Missouri

County Commission Clerk
102 E Broadway, Rm 11
Polk County Courthouse
Bolivar, MO 65613
clerk@polkcountymo.org

County of Taney, Missouri

County Commission Clerk
PO Box 156
Forsyth, MO 65653
donna.neeley@co.taney.mo.us

County of Warren, Missouri

County Commission Clerk
101 Mockingbird Ln. Ste. 300
Warrenton, MO 63383
dstotler@warrencountymo.org

**Missouri Public Service
Commission**

Mark Johnson
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
mark.johnson@psc.mo.gov

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.