

**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) File No. SA-2024-0307
Certain Sewer Assets and for a Certificate)
of Convenience and Necessity (Timber Ridge))

MOTION FOR LEAVE TO AMEND APPLICATION

COMES NOW Confluence Rivers Utility Operating Company, Inc. (“Confluence Rivers” or “Applicant”) and, pursuant to Commission Rule 20 CSR 4240.2.080(18), states the following to the Missouri Public Service Commission (“Commission”) as its *Motion for Leave to Amend Application*:

1. On April 18, 2024, Confluence Rivers filed an *Application and Motion for Waiver* requesting that the Commission approve the acquisition of the unregulated sewer assets of Barbara E. Rampone located in and around the Timber Ridge subdivision in Johnson County, MO (Timber Ridge) and grant Confluence Rivers a certificate of convenience and necessity to provide service in the area.

2. Confluence Rivers previously supplemented its Application with additional information applicable to Timber Ridge through supplements filed on May 1, 2024, and on June 7, 2024.

3. On September 24, 2024, the Commission issued its *Order Granting Motion to Suspend Filing of Staff Recommendation*, which granted a suspension of the Staff’s obligation to file a recommendation and indicated that upon the filing of an amended application by Confluence Rivers, the Commission would re-order the filing of a Staff recommendation.

4. Commission Rule 20 CSR 4240.2.080(18) states in part, that “Any pleading may be amended . . . at any time by leave of the commission.”

5. After further discussion with the Staff of the Commission and the Missouri Department of Natural Resources (“DNR”), Confluence Rivers seeks to amend its Application as to the rates it proposes to charge Timber Ridge customers after closing.

6. Confluence Rivers previously sought an Abatement Order on Consent for this property (DNR Order No. 2023-WPCB-1840). On pages 4-5, para. 18, Confluence Rivers is ordered to “operate and maintain the existing wastewater utility to prevent further unpermitted wastewater discharges to the environment, even if this requires the regular pumping and hauling of wastewater from the existing individual septic tanks connected to the residences in the subdivision.”

7. As Confluence Rivers sought a way to address this DNR position, it believes that, due to the costly nature of pumping and hauling, it is most economical to install three (3) temporary holding tanks to service Timber Ridge customers. The utilization of the temporary holding tanks will reduce the frequency that Confluence Rivers must pump and haul wastewater. This will also reduce costs to its customers. These temporary holding tanks will serve as a placeholder for Timber Ridge customers while Confluence Rivers constructs the new facility, which is anticipated to take three (3) months to complete.

8. It is always the goal of Confluence Rivers to ensure that its customers receive the best service at the most cost-effective rate while protecting the environment from raw sewage currently being discharged at Timber Ridge. Confluence Rivers believes that transferring the raw sewage to temporary holding tanks would costing approximately \$8,000 per month.

9. As reflected in the Application, the sewer assets of Barbara E. Rampone at Timber Ridge subdivision were exempt from Commission regulation, no tariffs were ever filed with the Commission or rates approved by the Commission. Currently, Timber Ridge customers are not

charged for sewer service. Therefore, Confluence Rivers proposes to charge Timber Ridge customers a rate equal to its approved District 1 rate of \$60.21 per month (the rate applicable to sewer customers located at systems with limited treatment technology). (See Sewer Tariff Sheet No. 122).

10. If the costs of the temporary storage costs were charged directly to the Timber Ridge customers, the cost would be approximately \$1,600 per customer based on estimated the estimated \$8,000 per month costs.

11. In the alternative, Confluence Rivers proposes to record the balance of the costs associated with the three (3) months that the temporary storage tanks will be utilized to a regulatory asset for recovery in Applicant's next general rate case subsequent to the closing on the assets and the completion of the Timber Ridge project. Consideration of these costs within a general rate case provides a larger spectrum of recovery options that can be based on circumstances as they may exist at that time.

12. Confluence Rivers, accordingly, seeks the Commission's Order allowing it to amend Paragraph 14 of its Application by deleting the same in its entirety and substituting in lieu thereof the following:

14. As the sewer assets of Barbara E. Rampone at Timber Ridge subdivision were exempt from Commission regulation, no tariffs were ever filed with the Commission or rates approved by the Commission. Currently, Timber Ridge customers are not charged for sewer service. Accordingly, Applicant proposes to utilize its existing District 1 sewer rate as a just and reasonable rate until such time as a rate case is completed that includes the Timber Ridge system. This rate is intended to apply to "sewer customers located at systems with limited treatment technology. . . ." (See Sewer Tariff Sheet No. 122).

Additionally, during the period Applicant is using temporary holding tanks for the system wastewater pending completion of a treatment facility, Confluence Rivers proposes that it be authorized to record a monthly amount equal to the difference between the cost of such temporary holding tanks and the rates charged Timber Creek customers in a regulatory asset account for recovery in Applicant's next general rate case.

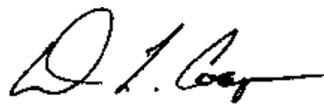
As pertains to rules and terms of service, Applicant proposes to utilize the rules governing the rendering of service that are currently found in Applicant's existing Commission-approved tariffs for sewer service (PSC Mo No. 31) at the time of closing.

13. Further, Confluence Rivers seeks the Commission's Order allowing it to amend Application **Appendix F-C**, the feasibility study associated with this project, in order to reflect the rate proposal described herein, by deleting the same in its entirety and substituting in lieu thereof the attached **Amended Appendix F-C**. **Amended Appendix F-C** has been identified as "Confidential" in accordance with Commission Rule 20 CSR 4240-2.135(2)(A)3. and 6., as it contains market specific information and information representing strategies employed in contract negotiations

14. Confluence Rivers provides this *Motion for Leave to Amend Application* in order to aid the Commission and the parties' understanding of circumstances surrounding the area for which a certificate of convenience and necessity is sought and the public interest that will be served by a grant of the Application.

WHEREFORE, Confluence Rivers Utility Operating Company, Inc. respectfully requests that the Commission grant this *Motion for Leave to Amend Application* and issue such further orders as it should find to be reasonable and just.

Respectfully submitted,



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ATTORNEYS FOR CONFLUENCE RIVERS UTILITY OPERATING COMPANY, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on November 7, 2025, to the following:

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