

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

In the Matter of the Application of Confluence)
Rivers Utility Operating Company, Inc., for a)
Certificate of Convenience and Necessity to) **File No. SA-2026-0125**
Provide Sewer Service in an Area of Lafayette)
County, Missouri (Swan Lake Estates))

STAFF RECOMMENDATION

COMES NOW the Public Service Commission Staff (“Staff”), by and through counsel, and recommends that the Commission grant to Confluence Rivers Utility Operating Company, Inc. (hereafter “Confluence Rivers” or “the Company”) a Certificate of Convenience and Necessity (“CCN”) to provide sewer services in an area of Lafayette County, Missouri (Swan Lake Estates). In support of this *Recommendation*, Staff states as follows:

1. On November 11, 2025, Confluence Rivers filed its *Application and Motion for Waiver* (“Application”) requesting the acquisition of the sewer system assets of the currently unregulated system of Swan Lake Estates, LLC (“Swan Lake”) in Lafayette County, Missouri. Confluence Rivers seeks a Certificate of Convenience and Necessity (“CCN”) to operate the system and provide service to the public. It also requested a waiver of the Commission’s 60-day notice of case filing requirement.

2. On November 12, 2025, the Commission issued its *Order Directing Notice, Setting Deadline for Intervention Requests, and Directing Filing of Staff Recommendation*, setting an intervention deadline of December 1, 2025, and ordering Staff to file its recommendation regarding MAWC’s Application no later than December 19, 2025. No intervention requests were received.

3. On December 18, 2025, Staff filed a request for an extension of time to file its recommendation, and on December 19, that Motion was granted. Staff was ordered to submit its recommendation no later than January 20, 2026.

4. On January 16, 2026, Confluence Rivers filed a *Notice Concerning Supplement to Application*, indicating that it planned to file a motion for leave to supplement its *Application* in the near future with regard to the acquisition of the Bates City Mobile Home Park. In response, Staff filed a *Motion for Extension of Time to File Staff Recommendation* on January 20, 2026, which was granted. The Commission directed Staff to submit its recommendation no later than March 6, 2026.

5. On January 29, 2026, Confluence Rivers filed a *Motion for Leave to Supplement Application*, which was granted on February 17, 2026.

6. Pursuant to § 393.170.2, RSMo, no water or sewer corporation shall provide service to consumers without first having obtained approval from the Commission. In determining whether or not to grant such approval, the Commission has traditionally applied the five “Tartan Criteria” established in *In the Matter of Tartan Energy Company, et al.*, 3 Mo. PSC 3d 173, 177 (1994): (1) there must be a need for the service; (2) the applicant must be qualified to provide the service; (3) the applicant must have the financial ability to provide service; (4) the applicant’s proposal must be economically feasible; and (5) the service must promote the public interest.

7. As explained in the Staff *Memorandum*, attached hereto as Appendix A, Staff conducted an investigation into Confluence Rivers’ request. Based upon its review, Staff concludes that Confluence Rivers’ request to acquire Swan Lake promotes the public interest.

8. Accordingly, Staff recommends approval granting the CCN, with conditions described in the Staff *Memorandum*, as granting the requested CCN would be necessary and convenient for the public service.

9. The Commission need not hold a hearing if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989). No party or individual has requested a hearing, so the Commission need not hold a hearing to grant a CCN to the Company.

WHEREFORE, Staff respectfully submits this Staff Recommendation for the Commission's information and consideration, and requests the Commission grant Confluence Rivers Utility Operating Company, Inc. a Certificate of Convenience and Necessity, with conditions, to provide sewer service to the requested service area.

Respectfully submitted,

/s/ Carolyn H. Kerr
Missouri Bar Number 45718
Senior Staff Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-5397 (Voice)
573-526-6969 (Fax)
Carolyn.kerr@psc.mo.gov

Attorney for Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 6th day of March, 2026, to all counsel of record.

/s/ Carolyn H. Kerr