

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
Confluence Rivers Utility Operating Company, Inc.,) **File No. WA-2019-0299**
for Authority to Acquire Certain Water and Sewer)
Assets and for a Certificate of Convenience and)
Necessity)

ORDER REGARDING PROCEDURAL STATUS

Issue Date: April 17, 2020

Effective Date: April 17, 2020

On April 9, 2020, the Office of the Public Counsel, on behalf of Confluence Rivers Utility Operating Company, Inc. (Confluence Rivers), and Staff of the Missouri Public Service Commission (Staff), filed a Stipulation and Agreement as to Net Book Value (Net Book Value Stipulation). The Net Book Value Stipulation set forth net book values of \$20,070 for the Port Perry water system and \$57,866 for the sewer system. The Lake Perry Lot Owners Association (Lot Owners) timely objected to the stipulation and agreement, although it did not dispute the agreed-upon net book values.

The Commission proposed canceling the evidentiary hearing on net book value scheduled for May 19-20, 2020, and requested responses from the parties. Staff did not oppose the proposal. The Lot Owners continued to request a hearing and Confluence Rivers requested that the Commission cancel the evidentiary hearing.

Under Commission rule, the objected-to Net Book Value Stipulation becomes merely a position statement of the signatories to the stipulated position.¹ That position statement is not itself evidence upon which the Commission can base its decision. Before the Commission can consider the evidence, it must be presented to the Commission

¹ 20 CSR 4240-2.115(2)(D).

through the hearing process. Thus, a hearing will be required.² The Commission will hold the upcoming evidentiary hearing regarding net book value as scheduled for May 19-20, 2020, and notes that the Order Setting Procedural Schedule, issued on March 24, 2020, is still in effect.

THE COMMISSION ORDERS THAT:

1. The request to cancel the evidentiary hearing scheduled for May 19-20, 2020, is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 17th day of April, 2020.

² The evidence could also be submitted through a unanimous stipulation and agreement of the parties.

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 17th day of April 2020.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 17, 2020

File/Case No. WA-2019-0299

**Missouri Public Service
Commission**

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**Missouri Public Service
Commission**

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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.