



cc:
2023 APR 11 PM 2:55
LA PUBLIC SERVICE
COMMISSION

April 11, 2023

Mr. Brandon Frey
Executive Secretary
Louisiana Public Service Commission
602 North Street
Galvez Building, 12th Floor
Baton Rouge, LA 70802

Re: Docket No. S-35809, Magnolia Water Utility
Operating Company, LLC, ex parte.

*In re: Request for Letter of Non-Opposition to the
Acquisition of the Wastewater System Assets to Serve
the Maison Trace Subdivision*

Dear Ms. Bordelon:

Magnolia Water Utility Operating Company, LLC (“Magnolia”) submits an original and three (3) copies of this filing in order to satisfy certain conditions set out in the Conditional Staff Approval (“Conditional Approval”) issued in the referenced docket on February 11, 2021.

In accordance with Rule 12.1 of the Commission’s Rules of Practice and Procedure, the closing documentation and accounting journal entries submitted herewith to comply with Condition 1 of the Conditional Approval have been designated “Confidential.”

Also, included with this filing is proof that Magnolia has added the wastewater system to a current letter of credit, which satisfies Condition 4 of the Conditional Approval.

Upon acceptance, we request that the Records Division date stamp and return one copy of this filing to our courier. If you have any questions concerning this filing, please so notify me.

Sincerely,

Ezell Law Firm, LLC

Andrew B. Ezell

Hand

PERFORMANCE BOND

COPY

Date bond was executed February 27, 2023
 Effective date February 27, 2023
 Principal Magnolia Water Utility Operating Company, LLC
1630 Des Peres Rd., Suite 140
St. Louis, MO 63131
 Type of Organization Partnership
 State of Incorporation Louisiana
 Surety RLI Insurance Company
9025 N. Lindbergh Drive
Peoria, IL 61615

AGENCY INTEREST	SITE NAME/ FACILITY NAME	ADDRESS	COORDINATES	FACILITY PERMIT NO.	AMT PER FACILITY
223220	Magnolia Lakes	6902 Spg Lk Dr, Maurice, LA 70555, USA	30.10382900426941, - 92.09306752148674	LAG560431	\$6,250.00
228539	The Chateaus	727 Malapart Rd, Scott, LA 70583, USA	30.28842272465989, - 92.07886626810264	LAG560442	\$6,250.00
219438	Coteau Ridge	7811 Fremin Rd, New Iberia, LA 70560, USA	30.05229729856878, - 91.91324862057321	LA0127553	\$6,250.00
21514	Maison Trace Subdivision	Calco Dr. Mandeville, LA 70471	30.423251, - 90.039571	LAR10N345	\$6,250.00

Total penal sum of bond \$25,000.00
 Surety's Bond Number RCB0044380

Know All Persons By These Presents That we, the Principal and Surety hereto, are firmly bound to the Louisiana Department of Environmental Quality in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, provided that, where Sureties are corporations acting as cosureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us and, for all purposes, each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

WHEREAS, said Principal is required, under the Louisiana Environmental Quality Act, La. R.S. 30:2001 et seq., to have a permit in order to discharge wastewater from the facility identified above; and

WHEREAS, the Principal is required by law to provide financial assurance for the conditions specified in LAC 33:IX.Chapter 67, as a condition of the permit; and

THEREFORE, the conditions of this obligation are such that if the Principal shall faithfully perform, in a timely manner, the requirements of LAC 33:IX applicable to the facility for which this bond guarantees the requirements of LAC 33:IX, in accordance with the other requirements of the permit as such permit may be amended and pursuant to all applicable laws, statutes, rules, and regulations, as such laws, statutes, rules, and regulations may be amended:

OR, if the Principal shall provide other financial assurance as specified in LAC 33:IX.Chapter 67 and obtain written approval of the administrative authority of such assurance within 90 days after the date of notice of cancellation of this bond is received by both the Principal and the administrative authority, then this obligation shall be null and void; otherwise, it is to remain in full force and effect.

The Surety shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described hereinabove.

Upon notification by the administrative authority that the Principal has been found in violation of the requirements of LAC 33:IX or of its permit, for the facility for which this bond guarantees performances of the requirements of LAC 33:IX.Chapter 67, the Surety shall either perform the requirements of LAC 33:IX.Chapter 67, or place the closure amount guaranteed for the facility into the standby trust fund as directed by the administrative authority.

The Surety hereby waives notification of amendments to permit, applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety hereunder exceed the amount of the penal sum.

The Surety may cancel the bond by sending notice of cancellation by certified mail to the Principal and to the administrative authority. Cancellation shall not occur before 120 days have lapsed, beginning on the date that both the Principal and the administrative authority received the notice of cancellation as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety and to the administrative authority, provided, however, that no such notice shall become effective until the Surety receives written authorization for termination of the bond by the administrative authority.

The Principal and Surety hereby agree that no portion of the penal sum may be expended without prior written approval of the administrative authority.

IN WITNESS WHEREOF, the Principal and the Surety have executed this PERFORMANCE BOND on the date set forth above.

Those persons whose signatures appear below hereby certificate that they are authorized to executed this surety bond on behalf of the Principal and Surety, that each Surety hereto is authorized to do business in the state of Louisiana, and that the wording of this surety bond is identical to the wording specified in LAC 33:IX.6703.A.1, effective on the date this bond was executed.

PRINCIPAL Magnolia Water Utility Operating Company, LLC CORPORATE SURETY RLI Insurance Company

By: [Signature]

Address: 9025 N. Lindbergh Drive, Peoria, IL 61615

Name: Josiah Cox

State of Incorporation: Illinois

Title: President

Liability Limit: \$124,065,000.00

By: [Signature]

Name and Title: Michelle Wilson, Attorney-in-Fact

Bond Premium: \$425.00



POWER OF ATTORNEY

RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company and/or Contractors Bonding and Insurance Company, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Theresa A. Hunziker, Gregory L. Stanley, Michael T. Reed, Linda McCarthy, Gerald M. Rogers, Harold F. James, Stephen J. Alabach,
Joel Karsten, Karen Speckhals, Cindy Rohr, Terri Hunziker, Christopher J. O'Hagan, Brandi L. Bullock, Don K. Ardolino, Kimberly
Ann Connell, Trudy Whitrock, Michelle Wilson, jointly or severally

in the City of Saint Louis, State of Missouri its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 19th day of February, 2021.



RLI Insurance Company
Contractors Bonding and Insurance Company

By: B. W. Davis
Barton W. Davis Vice President

State of Illinois }
County of Peoria } SS

CERTIFICATE

On this 19th day of February, 2021, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of RLI Insurance Company and/or Contractors Bonding and Insurance Company, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 27th day of February, 2023.

By: Catherine D. Glover
Catherine D. Glover Notary Public

RLI Insurance Company
Contractors Bonding and Insurance Company
By: Jeffrey D. Fick
Jeffrey D. Fick Corporate Secretary



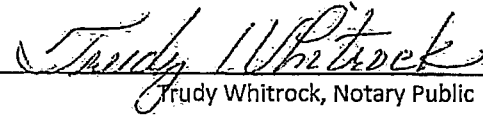
STATE OF Missouri

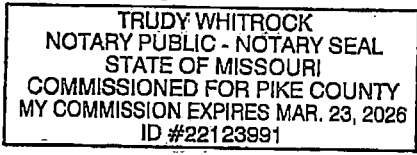
COUNTY OF St. Louis

On 2/27/2023, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Michelle Wilson known to me to be Attorney-in-Fact of RLI Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation, and he/she duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have set my hand and affixed my seal, the day and year stated in this certificate above.

My Commission Expires: March 23, 2026


Trudy Whitrock, Notary Public





INVOICE NO. 139815

Date Paid Check No. Amount Paid
 / / \$

SEND INVOICE TO
Magnolia Water Utility Operating Company
 1630 Des Peres Rd Ste 140
 St Louis, MO 63131-1844

SUMMARY
Account Number **Amount Due** **Balance Due On**
 CENTSTA-12 \$425.00 2/27/2023
Account Name Central States Water Resources Inc

OP	Branch	Producer	CSR
MWILSON	PWK	PURPWK	CONKI1

Policy/Bond				
Type	Description	Number	Effective Date	Expiration Date
Bond - Miscellaneous	Louisiana Department of Environmental Quality	RCB0044380	2/27/2023	2/27/2024
Issued through: RLI Group		Underwritten by: RLI Insurance Company		

Transactions				
Item Number	Transaction Effective Date	Transaction Code	Description	Amount
1828500	2/27/2023	ANEW	Louisiana Department of Environmental Quality 2/27/2023	\$425.00
Total Invoice Balance:				\$425.00

Please make your check payable to: THE CRANE AGENCY PO BOX 790379 ST LOUIS MO 63179-0379	To pay your bill online by credit card, please visit craneagency.com/pay-my-policy A 3% processing fee will apply.
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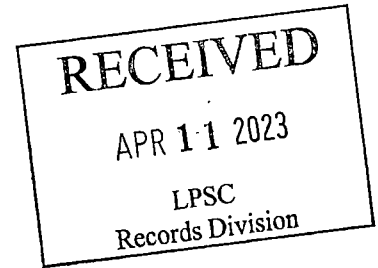
Should you have any questions or concerns, please call (314) 241-8700 or send an email to Bill Purcell at purcellb@craneagency.com or Kim Connell, CPCU, CIC at kim@jdkutter.com.

HEADQUARTERS
 100 North Broadway, Suite 900
 Saint Louis, MO 63102
 314-241-8700

CHESTERFIELD MO
 400 Chesterfield Center, Suite 100
 Chesterfield, MO 63017
 636-537-5000

SPRINGFIELD MO
 1220 E Walnut Lawn St
 Springfield, MO 65804
 417-883-6868

DOCKET NO. S-35809



**IN ACCORDANCE WITH RULE 12.1 OF THE
LOUISIANA PUBLIC SERVICE
COMMISSION’S RULES OF PRACTICE AND
PROCEDURE , THE ENCLOSED
DOCUMENTATION SUBMITTED BY
MAGNOLIA WATER UTILITY OPERATING
COMPANY, LLC IN SATISFACTION OF
CONDITION(S) 1 OF THE CONDITIONAL
STAFF APPROVAL ISSUED ON FEBRUARY
11, 2021, HAS BEEN DESIGNATED
“CONFIDENTIAL” AND SUBMITTED UNDER
SEAL AS IT CONTAINS INFORMATION
REGARDING STRATEGIES EMPLOYED IN
CONTRACT NEGOTIATIONS AND OTHER
COMPETITIVELY SENSITIVE
INFORMATION.**