

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 22nd
day of October, 2014.

Continental Casting, LLC,)	
)	
Complainant,)	
)	
v.)	
)	
Liberty Utilities (Midstates Natural Gas) Corp.)	
d/b/a Liberty Utilities,)	
)	
Respondent.)	

File No. GC-2014-0275

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: October 22, 2014

Effective Date: November 1, 2014

On April 8, 2014, Continental Casting, LLC (“Continental”) filed a complaint with the Commission against Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities (“Liberty”). Continental disputed the price Liberty charged for gas provided in February 2014. Continental and Liberty agreed to attempt to mediate their dispute. The Commission issued an order staying the complaint proceedings while Continental, Liberty, and the Staff of the Missouri Public Service Commission (jointly, “Parties”) mediated their dispute before Regulatory Law Judge Daniel Jordan.

On October 2, 2014, the Parties filed a Stipulation and Agreement¹ (“Agreement”) for the Commission’s approval. Under the terms of the Agreement, Liberty agrees to use the price of \$12.55 (plus applicable pipeline fuel and

¹ Both a Highly Confidential (“HC”) and a Non-Proprietary (“NP”) version of the Stipulation and Agreement were filed. All references in this order shall be made to the NP version.

transportation charges) as the highest index price for the respective Connecting Pipeline Company for Continental's February 2014 rates.² Continental consents to paying an agreed upon amount and dismissing its complaint.

In addition, to clarify the terms of its tariffs, Liberty agrees to include in its revised tariffs - to be in File No. GR-2014-0152³ - modified tariff language. The modified tariff language was suggested by Staff to clarify the implementation of Liberty's Tariff Sheet No. 52.

Pursuant to the Agreement, the Parties agree to waive their respective rights to call and question witnesses; present oral arguments; and to seek a rehearing or judicial review if the Commission accepts the specific terms of the Agreement. Since no party has requested an evidentiary hearing, the Commission may grant the relief requested based on the terms of the Agreement.⁴

The Commission will approve the Agreement.

THE COMMISSION ORDERS THAT:

1. The Stipulation and Agreement filed on October 2, 2014 is approved.
2. The signatories shall comply with the terms of the Stipulation and Agreement. A copy of the NP version of the Stipulation and Agreement is attached to this order.

² For the purposes of implementing the terms and provisions of service under Liberty's Tariff Sheet No. 52.

³ File No. GR-2014-0152 is Liberty's pending rate cases. The language proposed for inclusion by Staff clarifies the term "index price" to be the price from the "\$ / MMBtu" column in Natural Gas Weekly Spot Prices table reported in Natural Gas Week.

⁴ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo.App. 1989).

3. This order shall be effective on November 1, 2014.
4. This file shall be closed on November 2, 2014.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Burton, Regulatory Law Judge