

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

In the Matter of the Verified Application and )  
Petition of Liberty Energy (Midstates) Corp. ) **File No. GO-2014-0006**  
d/b/a Liberty Utilities to Change its Infrastructure )  
System Replacement Surcharge. )

**LIBERTY UTILITIES' RESPONSE  
TO ORDER DIRECTING FILING**

COMES NOW Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities (“Liberty Utilities” or “Company”), and for its Response to the Missouri Public Service Commission’s (“Commission”) Order Directing Filing (“Order”) entered in this matter on August 28, 2015, respectfully states as follows:

1. In response to prior Commission orders and directives regarding the Missouri Supreme Court’s remand, all parties are in agreement that the trued-up amount of over-collection that should be refunded to ratepayers is \$128,832. As noted in its August 11, 2015 Order Directing Filing, the Commission contemplated effectuating said refund “by adjusting the amount the company will be allowed to recover in its pending 2015 ISRS filing<sup>1</sup> to account for its over-collection during the earlier period.”

2. In the “Staff Response To Liberty Utilities’ Filing” submitted on August 28, Staff proposed that the amount of refund should be divided among Liberty Utilities’ three districts, and further proposed that the refund should be made through a one-time ISRS credit on customer bills rather than by adjusting the company’s pending ISRS application:

WHEREFORE, Staff respectfully requests that the Commission issue an order that (1) approves the calculation of the incremental ISRS surcharge credit (refund) in the amount of annual pre-tax revenues of \$128,832 consisting of \$9,650 for the

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<sup>1</sup> File No. GO-2015-0350

WEMO district, \$44,849 for the SEMO district, and \$74,333 for the NEMO district; (2) directs Liberty Utilities to issue a one-time ISRS bill credit to each customer by customer class by district as reflected in Appendix B attached hereto; and (3) makes such further orders as the Commission deems necessary.<sup>2</sup>

3. Before taking action, the Commission has offered other parties the opportunity to respond to Staff's proposal and further directed that they do so no later than September 2, 2015.<sup>3</sup>

4. Liberty Utilities has reviewed the Staff's proposed refund amounts by district, as set forth above and more fully in Staff's Appendix B, and supports those district-specific amounts. Liberty Utilities further supports the one-time ISRS bill credits to each customer by customer class by district as reflected on Staff's Appendix B.

5. Regarding the timing of the issuance of said credits, Liberty Utilities respectfully suggests that such credits could be timely and efficiently made in conjunction with the establishment of new ISRS rates resulting from pending File No. GO-2015-0350. The Commission is required to act on that application within 120 days, October 28, 2015, and the Staff Recommendation was filed on August 28 therein. Any initial notice sent to customers could also reference the one-time ISRS bill credits, and Liberty Utilities believes that such credits could be reflected as a separate line-item on the customer bills. Liberty Utilities has not had the opportunity to fully discuss this proposal with the Staff and Office of the Public Counsel, and would respectfully suggest that the parties provide the Commission with a status update/final proposal for effectuating the bill credits on or before September 10, 2015.

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<sup>2</sup> Staff Response to Liberty Utilities' Filing, page 2.

<sup>3</sup> Order, page 2.

WHEREFORE, Liberty Utilities respectfully submits its Response to Order Directing Filing and prays that the Commission accept this filing as responsive to said Order.

Respectfully submitted,

**/s/ Larry W. Dority**

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Attorneys for Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 2<sup>nd</sup> day of September, 2015.

**/s/ Larry W. Dority**

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Larry W. Dority