

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

In the Matter of Liberty Utilities (Midstates)
Natural Gas) Corp.’s Application for) Case No. GF-2023-0280
Authority to Issue Long Term Unsecured Debt)

CLARIFICATION REGARDING REQUEST FOR WAIVER

COMES NOW Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty (“Liberty Midstates” or the “Company”), and for its Clarification Regarding Request for Waiver, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. Following submission of its original Financing Application and Request for Waiver herein, the Staff of the Commission (“Staff”) served data requests, to which Liberty Midstates responded. Staff and the Company also discussed various issues regarding the filing and a possible resolution of this docket. Liberty then submitted an Amended Financing Application which replaced the original Financing Application and Request for Waiver in total, with the exception of the Request for Waiver portion regarding waiver of the 60-day pre-filing notice requirement of 20 CSR 4240-4.017 (the “Application”). Staff recommends that the Commission grant the relief requested in the Application, with certain conditions.

2. As noted in the Application, Liberty Midstates seeks permission to replace maturing long-term debt and allow for the issuance of additional long-term debt to Liberty Utilities Co. of up to \$65 million to repay short-term borrowings incurred through the Company’s participation in the money pool, with said borrowings having been used to fund the capital expenditures and Storm Uri costs shown on Application Appendix 1. No new funds are being generated by the requested financing.

3. Liberty Midstates requested that the Commission waive the requirement to file a five-year capitalization expenditures schedule with the Application, referencing Commission Rule

20 CSR 4240-10.125(1)(G). Liberty Midstates did not request a waiver of a statute, but Rule 20 CSR 4240-10.125(1)(G) does provide that a financing application must contain a five-year capitalization expenditure schedule “as required by section 393.200, RSMo.”

4. RSMo. 393.200 does not appear to have required the filing of a five-year capitalization expenditure schedule with the Application. As such, Liberty Midstates withdraws its request for a waiver of Rule 20 CSR 4240-10.125(1)(G).

WHEREFORE, Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty submits this Clarification Regarding Request for Waiver.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 24th day of July, 2023, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter