

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

In the Matter of the Verified Application and                    )  
and Petition of Liberty Energy (Midstates) Corp.,        ) Case No. GO-2014-0006  
d/b/a Liberty Utilities to Change its Infrastructure        ) Tracking No. YG-2014-0004  
System Replacement Surcharge.                                )

**The Missouri Energy Development Association’s  
Petition for Leave to File an *Amicus Curiae* Brief**

COMES NOW the Missouri Energy Development Association (“MEDA”), pursuant to Commission Rule 4 CSR 240-2.075(11), and for its Petition for Leave to File an *Amicus Curiae* Brief in support of Petitioner Liberty Utilities (“Liberty”), states to the Missouri Public Service Commission (“Commission”) as follows:

1. MEDA is an incorporated trade association whose member companies consist of Union Electric Company, d/b/a AmerenUE; Kansas City Power & Light Company; The Empire District Electric Company (“Empire”); Empire District Gas Company; Laclede Gas Company; Liberty Energy (Midstates) Corp., d/b/a Liberty Utilities and Missouri-American Water Company. Each of the member companies are regulated by the Commission as provided by law.

2. MEDA seeks leave of the Commission to file the accompanying brief of *amicus curiae* in the captioned case. MEDA petitions for leave to file its brief to address a policy issue of importance to all regulated natural gas utilities in the State of Missouri, that is, whether Liberty’s industry-standard ISRS petition complies with the requirements of Commission rule 4 CSR 240-3.265 both as to sufficiency and scope.

3. The Office of the Public Counsel (“OPC”) has filed a motion requesting that the Commission reject or deny the ISRS petition for certain alleged deficiencies as to its contents or supporting documentation and, also, as to the types of replacements addressed (“Motion”). The Motion sets out challenges to a practice that in over thirty (30) previous ISRS petitions over a period of nearly ten (10) years and without previous objection by OPC has served to institutionalize a procedure for the review and approval of such filings by the Commission. The Commission held an evidentiary hearing regarding the issues raised by OPC. The most worrying aspect of this case is that the relief OPC is requesting would weaken a very successful regulatory tool that has served the general public so well and would thereby impede or delay the aggressive deployment by Missouri natural gas utilities of replacements for aging plant. No purpose would be served by now putting in place financial disincentives to investments by natural gas utilities in new, non-revenue producing infrastructure projects, the objective of which is to enhance public safety.

4. The issues presented in this case will have implications for all regulated natural gas utilities in this state which avail themselves of the ISRS mechanism. As such, the voice of other Missouri LDCs should be heard on this important public safety topic. MEDA can provide this broader industry perspective. Additionally, MEDA believes the matters addressed in its brief will assist the Commission in reaching a well-informed decision on the issues raised by OPC.

5. This *amicus* brief is relevant to the matters raised by OPC’s request of rejection or denial of Liberty’s ISRS petition. As noted above, the ISRS mechanism is intended to encourage private investment by natural gas utilities in infrastructure

replacement that will enhance public safety. MEDA urges the Commission to consider OPC's request in this context and in the light of prior industry practice and, also, the objectives of the ISRS legislation.

6. MEDA submits simultaneously herewith an *amicus curiae* brief for the Commission's consideration.

WHEREFORE, MEDA requests that the Commission grant it leave for to file an *Amicus Curiae* Brief for good cause shown.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on the 4th day of October, 2013, to the following:

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