

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

In the Matter of the Application of Rate Increase)
Request for Liberty Utilities (Missouri Water) LLC) Case No. WR-2018-0170
d/b/a Liberty Utilities)

**OFFICE OF THE PUBLIC COUNSEL’S
CLARIFICATION OF ITS RESPONSE TO NON-UNANIMOUS STIPULATION**

COMES NOW the Office of the Public Counsel (“Public Counsel” or “OPC”), by and through counsel, and for its Clarification to its Response to the Non-Unanimous Stipulation states:

1. Public Counsel neither opposes but also cannot support the non-Unanimous Stipulation and Agreement and in clarification of its position states:

2. Under Section 4 CSR240-2.115(E), “A party may indicate that it does not oppose all or part of a nonunanimous stipulation and agreement.”

3. Public Counsel states that it does not oppose the overall revenue requirement but has concerns that the information in the Stipulation is incomplete. Specifically, that stating an ROE in isolation is uninformative and potentially misleading to customers.

4. The Stipulation allows the Commission to request the Staff to “file suggestions or a memorandum in support of this Stipulation and Agreement.” Non-unanimous Stipulation at para 17. Further, at para. 18, the Non-unanimous Stipulation provides that “[t]o assist the Commission in its review of this Stipulation and Agreement, the Signatories also request that the Commission advise them of any additional information the Commission may desire from the Signatories relating to the matters addressed in this Stipulation and Agreement, including any procedures for furnishing such information to the Commission. Public Counsel recommends the Commission

:direct the signatories, pursuant to Paragraph 18 of the [Stipulation] to articulate the applicable capital structure to which the 9.75 ROE is being applied”

WHEREFORE, the OPC clarifies its earlier filing that it cannot endorse the Non-Unanimous Stipulation and Agreement and requests the Commission inquire as to the applicable capital structure to which the 9.75 ROE is being applied.

Respectfully,

OFFICE OF THE PUBLIC COUNSEL

/s/ Lera Shemwell
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**Attorney for the Office of the Public
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CERTIFICATE OF SERVICE

We hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 13th day of August, 2018, with notice of the same being sent to all counsel of record.

/s/ Lera Shemwell