

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

In the Matter of Liberty Utilities (Missouri )                      File No.      WR-2018-0170  
Water) LLC’s Application for a Rate Increase.                      )                      SR-2018-0171

**REPLY OF LIBERTY UTILITIES TO  
SILVERLEAF AND ORANGE LAKE COUNTRY CLUB’S  
RESPONSE TO STAFF’S PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** Liberty Utilities (Missouri Water) LLC (“Liberty Utilities” or “Company”), by and through counsel, and, for its Reply to *Silverleaf and Orange Lake Country Club’s Response to Staff’s Proposed Procedural Schedule* (hereinafter, the “Response”), states as follows to the Missouri Public Service Commission (“Commission”):

1.        On April 3, 2018, intervenors Silverleaf and Orange Lake Country Club (hereinafter the “Intervenors”) filed an request that the Commission schedule an evidentiary hearing in this case asserting that “setting the date and establishing a procedural schedule will help safeguard the procedural due process rights of all parties.” *Request*, p. 2. Now that Staff, OPC and Liberty Utilities have jointly proposed a schedule culminating in the evidentiary hearing Intervenors requested, they remain unappeased.

2.        Intervenors suggest that Liberty Utilities’ request for a rate increase is (or will be) legally deficient unless it is required to file proposed tariff sheets in connection with the scheduling order. They do not contend, however, that Liberty Utilities is conducting itself other than in accordance with the procedures set forth in the Commission’s lawfully promulgated SURP rule. The jointly-proposed hearing schedule does not convert the case into something new. It merely supplements Staff’s rate case timeline.

3. There is no denial of due process associated with the Commission's adoption of the proposed procedural schedule. Intervenors have availed themselves of discovery. Additional due process is amply provided for in the events contemplated by the jointly-proposed scheduling order. The issues to be contested by one or more of the parties either already have been, or will be, identified and there will be an opportunity to present testimony, cross-examine adverse witnesses and to brief the issues. Intervenors do not specify how they are prejudiced in the circumstance.

4. As intervenors note, the SURP provides for the filing by Liberty Utilities of compliance tariffs which will embody how all of the matters related to revenue requirement and rate design are decided, either by agreement or decision.

5. Intervenors have not provided any compelling grounds for requiring Liberty Utilities to file tariffs along with any direct testimony that it may file. Accordingly, the Commission should deny Intervenors' request that Liberty Utilities be required to file proposed tariffs along with direct testimony as part of a scheduling order.

**WHEREFORE**, Liberty Utilities requests that the Commission deny the Intervenors' request for the reasons aforesaid.

Respectfully submitted,

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ATTORNEYS FOR LIBERTY UTILITIES  
(MISSOURI WATER) LLC

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail on this 12<sup>th</sup> day of June, 2018, to:

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