

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

In the Matter of the Application of the Empire)
District Gas Company for a Name Change to) Case No. GN-2021-0039
The Empire District Gas Company d/b/a Liberty)

In the Matter of the Application of Liberty Utilities)
(Midstates Natural Gas) Corp. for a Name) Case No. GN-2021-0041
Change to Liberty Utilities (Midstates Natural)
Gas) Corp. d/b/a Liberty)

In the Matter of the Application of Liberty)
Utilities (Missouri Water) LLC for a Name) Case Nos. WN-2021-0042
Change to Liberty Utilities (Missouri Water) LLC) and SN-2021-0043
d/b/a Liberty)

RESPONSE TO STAFF RECOMMENDATION

COME NOW The Empire District Electric Company (“EDE”), The Empire District Gas Company (“EDG”), Liberty Utilities (Missouri Water) LLC (“Liberty Water”), and Liberty Utilities (Midstates Natural Gas) Corp. (“Midstates”) (collectively, the “Utilities” or “Liberty”) and respectfully submit this Response to Staff Recommendation.

1. On August 15, 2020, EDG and EDE, on behalf of EDE, EDG, Liberty Water, and Midstates, submitted a Notice of Fictitious Name Registrations in Case No. AO-2020-0184. To the extent required, Liberty requested approval of the use of a fictitious name pursuant to Commission Rule 20 CSR 4240-2.060(5).
2. Thereafter, the Commission opened a “name change” docket for each of the Utilities. Liberty is not seeking the name changes set forth in the EFIS captions and does not believe the requirements of Commission Rule 20 CSR 4240-2.060(5) are applicable to the addition of a fictitious name for a utility when there is no entity name change and/or ownership change.
3. As noted in the Notice filed in Case No. AO-2020-0184 on August 15, 2020, fictitious name registrations have been filed with and accepted by the Missouri Secretary of State’s Office for each of the four Utilities. The individual entity names remain unchanged, but “Liberty”

will be an additional common operating name for the Utilities' operations in Missouri.

4. All active tariff sheets adding the fictitious name, including the title page and CCN area descriptions, have been submitted as part of the compliance tariff process for EDE in Case No. ER-2019-0374. EDE is the only one of the four Utilities with a rate case currently before the Commission.
5. For EDG, Liberty Water, and Midstates, revised title pages, adding "or Liberty" after "d.b.a Liberty Utilities" and proposing an effective date thirty days after filing, were submitted on August 17, 2020.
6. In the Notice filed in Case No. AO-2020-0184 on August 15, 2020, Liberty stated that tariff adoption notices would also be filed for EDG, Liberty Water, and Midstates. This statement was made by Liberty pursuant to the direction of the Staff of the Commission regarding tariff adoption notices being required and such a tariff having previously been filed by Union Electric when the Ameren Missouri fictitious name was added.
7. Since the filing was made by Liberty on August 15, 2020, additional research was conducted, including a review of Union Electric's fictitious name submission (attached). Liberty is unaware of what would be stated in a tariff adoption notice in this situation, as the entity names remain unchanged and there have been no changes in ownership. There are simply no tariffs to be adopted at this time. Additionally, Liberty submits that customers may be confused by the filing of tariff adoption notices in this situation, as such tariff filings could create the perception of an ownership change and/or indicate that EDG, Liberty Water, and Midstates no longer exist as entities operating in Missouri.
8. The filing of revised tariff title pages, as was done for EDG, Liberty Water, and Midstates on August 17, 2020, provides notice of the addition of the "Liberty" fictitious name for each entity. Liberty submits that no further actions are required at this time.

WHEREFORE, the Utilities respectfully submit this Response to Staff Recommendation and request such further relief as is just and proper under the circumstances.

/s/ Diana C. Carter
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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 31st day of August, 2020, with notification of the same sent to all counsel of record.

/s/ Diana C. Carter