

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

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| In the Matter of the Joint Application of Algonquin ) |                       |
| Water Resources of Missouri, LLC, d/b/a Liberty )     |                       |
| Water and KMB Utility Corporation for Authority )     | File No. WO-2011-0350 |
| for Liberty Water to Acquire Certain Assets of )      |                       |
| KMB Utility Corporation and, in Connection )          |                       |
| Therewith, Certain Other Related Transactions. )      |                       |

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response states as follows:

1. On April 22, 2011, Algonquin Water Resources of Missouri, LLC, d/b/a Liberty Water (Liberty Water) and KMB Utility Corporation (KMB) filed with the Missouri Public Service Commission (Commission) a *Joint Application and, if Necessary, Motion for Waiver*, seeking authority for Liberty Water to acquire certain assets of KMB.
2. On July 19, 2011, the Staff of the Missouri Public Service Commission (Staff) filed its *Staff Recommendation*.
2. On July 20, 2011, the Commission issued its *Order Directing Filing*, directing the parties to respond to the *Staff Recommendation* by July 29, 2011.
3. On July 28, 2011, Liberty Water filed its *Response to Staff Recommendation* clarifying some factual matters and stating that with these clarifications, Liberty Water has no objection to the *Staff Recommendation*. Liberty Water also stated that counsel for KMB has indicated that KMB has no objection to the Staff Recommendation.
4. Public Counsel has reviewed the *Staff Recommendation* and the Official Case File Memorandum attached as Appendix A and now states that it has no objection to Staff’s

recommendations. Additionally, Public Counsel states that it agrees with Staff's determination that KMB has a total rate base on a consolidated basis in the amount of \$283,958 as of May 31, 2011, and that this amount reflects the starting point for the determination of rate base to be used for regulatory purposes in the next rate case. (Appendix A, Official Case File Memorandum, Page 3 & 4)

5. Public Counsel has also reviewed Liberty Water's *Response to Staff Recommendation* and now states that it has no objection to the factual matter clarifications presented by Liberty Water in its Response.

**WHEREFORE,** Public Counsel respectfully submits its Response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 28<sup>th</sup> day of July 2011:

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**/s/ Christina L. Baker**

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