

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

In the Matter of the Application of Liberty )  
Utilities (Missouri Water) LLC, d/b/a Liberty ) **File No. WN-2021-0042**  
Utilities for a Name Change to Liberty )  
Utilities (Missouri Water) LLC d/b/a Liberty )

In the Matter of the Application of Liberty )  
Utilities (Missouri Water) LLC, d/b/a Liberty ) **File No. SN-2021-0043**  
Utilities for a Name Change to Liberty )  
Utilities (Missouri Water) LLC d/b/a Liberty )

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission, pursuant to the Commission’s *Order Directing Staff to File a Recommendation* (“Order”) issued on August 17, 2020, and for its *Staff Recommendation*, states as follows:

1. On August 15, 2020, Liberty Utilities (Missouri Water) LLC d/b/a Liberty Utilities (“Liberty Utilities”) submitted a notice<sup>1</sup> advising the Commission that it has registered the fictitious name “Liberty,” and henceforth will operate under the name Liberty Utilities (Missouri Water) LLC d/b/a Liberty. The notice stated, to the extent required, Liberty Utilities also requests approval of the use of the fictitious name pursuant to Commission Rule 20 CSR 4240-2.060(5), and indicated that tariff adoption notices and revised title pages, adding the fictitious name of “Liberty” and proposing an effective date thirty days after filing, would be submitted on August 17, 2020.

2. Commission Rule 20 CSR 4240-2.060(5) provides in relevant part as follows:

. . . a name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other

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<sup>1</sup> The notice was originally submitted in File No. AO-2020-0184.

provision of these rules, the items required herein may be filed by a non-attorney. Applications for approval of a change of a name shall include:

(A) A statement, clearly setting out both the old name and the new name;

(B) *Evidence of registration of the name change with the Missouri Secretary of State*; (emphasis added) and

(C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

3. Consistent with its August 15<sup>th</sup> notice, Liberty Utilities filed revised tariff sheets consisting of title sheets including the utility's newly registered fictitious name on August 17, 2020. However, it has yet to submit associated adoption notices. Staff has reviewed Liberty Utilities' notice and the revised tariff sheets filed on August 17, 2020, and while it has no objection to the request to approve the use of the fictitious name "Liberty," Staff is of the opinion that Liberty Utilities has not fully complied with Rule 20 CSR 4240-2.060(5)(C), to the extent it applies to the registration of fictitious names.

4. Staff therefore recommends, to the extent tariff changes are required under Commission Rule 20 CSR 4240-2.060(5)(C), that Liberty Utilities file adoption notices as it stated it would in paragraph 6. of its August 15<sup>th</sup> notice, and as required by Commission Rule 20 CSR 4240-2.060(5)(C).

**WHEREFORE**, Staff prays the Commission will accept its *Staff Recommendation*; and grant such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,

**/s/ Mark Johnson**

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Attorney for the Staff of the  
Missouri Public Service Commission

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record on this 31<sup>st</sup> day of August, 2020.

**/s/ Mark Johnson**