

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

In the Matter of the Joint Application of Liberty)	
Utilities (Missouri Water) LLC and The Empire)	
District Electric Company for Authority for)	Case No. _____
Liberty Utilities (Missouri Water) LLC to Acquire)	
the Water Franchises and Assets of The Empire)	
District Electric Company)	

NOTICE OF INTENDED CASE FILING

COME NOW Liberty Utilities (Missouri Water) LLC (“Liberty Missouri Water”) and The Empire District Electric Company (“Empire”), both Liberty Utilities companies, and, pursuant to Commission Rule 4 CSR 240-4.017, submit this Notice of Intended Case Filing with regard to their intended joint application for approval of the transfer of water assets, including all water service franchises and Certificates of Convenience and Necessity, from Empire to Liberty Missouri Water. In this regard, Liberty Missouri Water and Empire respectfully state as follows to the Missouri Public Service Commission (the “Commission”):

1. Liberty Missouri Water is a Missouri limited liability company with its principal office located at 602 Joplin Street, Joplin, Missouri, 64801, and provides water and sewer services to customers in its Missouri service areas, as certificated by the Commission. Liberty Missouri Water is a “water corporation,” a “sewer corporation,” and a “public utility,” as those terms are defined by RSMo. §386.020 and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law. Liberty Missouri Water currently serves approximately 3,300 water and/or sewer customers in Missouri.

2. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri, 64801. Empire is qualified to conduct business and is conducting business in Missouri, as well as in the states of Arkansas, Kansas, and Oklahoma. Empire is a

“public utility” and, therefore, is subject to the general regulatory jurisdiction of the Commission as provided by law and is engaged, generally, in the business of generating, purchasing, transmitting, distributing, and selling electricity in portions of the referenced four states. Empire is also a “water corporation.” Empire currently serves approximately 4,500 water customers in Missouri.

3. RSMo. §393.190 governs transfers of utility franchises and assets, and issues the Commission will be asked to consider and decide in this case are those that normally attend applications filed under that statute.

4. Although Commission Rule 4 CSR 240-4.017(1) requires notice of an intended case filing be provided a minimum of sixty (60) days prior to such filing, subsection (D) of the rule allows for waiver of that requirement for good cause shown. Liberty Missouri Water and Empire will likely seek such waiver in a separate filing, so that the intended joint application may be filed less than sixty days from the filing of this Notice of Intended Case Filing.

5. With regard to Rule 4.017(1) and the requirement that a 60-day filing notice include “a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice,” Liberty Missouri Water and Empire verify that there have been no ex parte communications regarding substantive issues likely to be in the intended case between Liberty Missouri Water and/or Empire and the office of the Commission within the 90 days prior to the filing of this Notice.

WHEREFORE, Liberty Missouri Water and Empire submit to the Commission this Notice of Intended Case Filing. Liberty Missouri Water and Empire request such relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 4th day of June, 2019, and sent by electronic transmission to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter