

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)
Algonquin Water Resources of Missouri, LLC,)
d/b/a Liberty Water and KMB Utility Corporation) File Nos. WO-2011-0350
for Authority for Liberty Water to Acquire Certain) and SO-2011-0351
Assets of KMB Utility Corporation and, in Connection)
Therewith, Certain Other Related Transactions.)

NOTICE OF APPLICATION, ORDER DIRECTING FILING AND ORDER DIRECTING NOTICE

Issue Date: April 22, 2011

Effective Date: April 22, 2011

The Missouri Public Service Commission is directing Staff to file a recommendation, setting a deadline for applications to intervene, and directing notice of the application.

Further, the Commission is ordering the applicants to file certain information. Such information is necessary for the Commission to give the notice required by Section 393.190.1, RSMo 2000 ("statute"). That statute governs the transaction that is the subject of the application.

The application includes, as the statute requires, a statement of the transaction's tax revenue impact:

. . . on the political subdivisions in which any structures, facilities or equipment ["assets"] of the corporations involved in such disposition are located.¹

The Commission must send such information to the clerks of certain counties.²

¹ Section 393.190.1, RSMo 2000.

² *Id.*

Such counties are not only those where the assets are located, but also those:

. . . in which any portion of a political subdivision which will be affected by such disposition is located. [³]

The statute's context shows that an "affected" political subdivision is one in which the assets are located. If such political subdivision straddles a county line, the statute entitles the county clerks on both sides of such line to information from the Commission.

Therefore, the Commission will order the applicants to file a list of every county that contains any part of a political subdivision that contains any asset subject to the application.

THE COMMISSION ORDERS THAT:

1. No later than May 6, 2011, the applicants shall file the list of counties described in the body of this order.

2. Upon the filing of the list described in paragraph 1, the Commission's Data Center shall transmit this notice and order, with a copy of the application, to the county clerk of each county on such list.

3. The Commission's Public Information Office shall make this notice and order available to the members of the General Assembly representing the residents of each affected county, as described in the body of this order, and to the news media serving those residents.

4. Any application to intervene shall be filed no later than May 13, 2011.

5. No later than May 20, 2011, the Commission's staff shall file its recommendation on the application.

³ *Id.*

6. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', is written over a faint, illegible background.

Steven C. Reed
Secretary

(S E A L)

Daniel Jordan, Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of April 2011.