

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

In the Matter of the Application of Rate Increase)
Request for Liberty Utilities (Missouri Water), LLC)
d/b/a Liberty Utilities) **File No. WR-2018-0170**

STAFF’S RESPONSE TO MOVANT’S REPLY

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Response to Movant’s Reply*, states as follows:

1. On December 15, 2107, Liberty Utilities (Missouri Water), LLC d/b/a Liberty Utilities (“Liberty Utilities” or “Company”) submitted a request to implement a general rate increase in its water and sewer rates, pursuant to 4 CSR 240-3.050.
2. On February 8, 2018, Orange Lake Country Club Inc. and Silverleaf Resorts, Inc. (“Intervenors”) filed a *Motion to Dismiss or in the Alternative, to Order Liberty Utilities (Missouri Water), LLC to File a Tariff Pursuant to Section 393.140(11)*.
3. On February 13, 2018, the Commission filed its *Order Directing Response to Motion to Dismiss* ordering Staff and Liberty Utilities to file response to the *Motion to Dismiss* no later than February 23, 2018.
4. On February 23, 2018, Staff filed its *Response to Motion to Dismiss*.
5. After the Intervenors filed their *Reply to Staff and Liberty Utilities (Missouri Water’s) Response to the Motion to Dismiss* on February 26, 2018, the Commission issued its *Order Permitting Response to Time-Share Customer Issues*. The Commission’s Order, issued on February 27, 2018 called for response no later than March 7, 2018.

6. The definition of “customer” under Commission regulation 4 CSR 240-3.010(7) leads Staff to calculate the number of customers by the number of meters served by a utility. Based on Staff’s calculation, Liberty Utilities serves 2,364 customers (counting water and sewer customers separately), which is within the 8,000 customer limit for a small utility rate case. The Interveners’ interpretation of Rules 4 CSR 240-3.101(7) and 4 CSR 240-3.050 is strained and not supported by the plain language of the rules. The Interveners’ time-share customers are financially responsible to the Interveners, but it is only the Interveners that are responsible to the water and sewer utility.

WHEREFORE, Staff respectfully submits this *Response to Movant’s Reply*.

Respectfully Submitted,

/s/ Casi Aslin

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of March, 2018.

/s/ Casi Aslin

