

**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	)	<b><u>File No.</u></b>	<b><u>WO-2011-0350</u></b>
Corporation for Authority for Liberty Water to	)	Tariff No.	YS-2012-0218
Acquire Certain Assets of KMB Utility	)	Tariff No.	YW-2012-0216,
Corporation and In Connection Therewith	)		YW-2012-0217,
Certain Other Related Transactions.	)		

**STAFF'S RECOMMENDATION ON TARIFF SHEETS**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and submits to the Missouri Public Service Commission *Staff's Recommendation on Tariff Sheets* and recommends the Commission approve the tariff sheets submitted in File No. WO-2011-0350 and Tariff Tracking Nos. YS-2012-0218, YW-2012-0216, YW-2012-0217. In support of this recommendation, Staff 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 Commission a *Joint Application and, if Necessary, Motion for Waiver (Joint Application)*, seeking authority for Liberty Water to acquire certain assets of KMB and certain other related transactions connected therewith.

2. On July 19, 2011, Staff filed a *Staff Recommendation* stating that this acquisition is not detrimental to the public interest.

3. On August 10, 2011, the Commission issued an *Order Approving Joint Application* stating that Liberty Water "shall file adoption notice tariff sheets. Such tariffs shall adopt the two water tariffs and one sewer tariff currently in effect for KMB,

with 30-day notice, and shall authorize Liberty to use the rates and rules of KMB's tariff on an interim basis until the effective date of such tariff adoption notices."

4. On November 15, 2011, Liberty Water filed tariff sheets that were assigned Tracking Nos. YS-2012-0218, YW-2012-0216, YW-2012-0217. On November 18, 2011, Liberty Water submitted substitute sheets at Staff's request to correct some tariff notations and language on one of the tariff sheets. The tariff sheets to be approved include:

**Liberty Water (Water):**

**YW-2012-0216 Franchised Areas (located in northern Jefferson County)**

P.S.C. Mo No. 4  
1<sup>st</sup> Revised Sheet No. 1 Canceling PSC MO No. 1 Original Sheet No. 1

P.S.C. Mo No. 4  
Original Sheet No. A

**YW-2012-0217 Cedar Hill Estates (located in central Jefferson County)**

P.S.C. Mo No. 5  
Original Sheet No. Title Page

P.S.C. Mo No. 5  
1<sup>st</sup> Revised Sheet No. A Canceling PSC MO No. 2 Original Sheet No. A

**Liberty Water (Sewer):**

**YS-2012-0218 Franchised Areas (located in Cape Girardeau County)**

P.S.C. Mo No. 6  
1<sup>st</sup> Revised Sheet No. 1 Canceling PSC MO No. 1 Original Sheet No. 1

P.S.C. Mo No. 6  
Original Sheet No. A

5. The Commission has authority to approve the proposed tariff sheets pursuant to Section 393.140(11), RSMo (2000).

6. James Merciel, Utility Regulatory Engineering Supervisor, reviewed the tariff sheets filed in Tracking Nos. YS-2012-0218, YW-2012-0216, YW-2012-0217, and states that to the best of his knowledge, information and belief, the proposed sheets comply with the Commission's *Order*. See *Affidavit of James A. Merciel, Jr., P.E.*, attached and incorporated herein as Attachment A.

**WHEREFORE**, Staff supports the title pages and adoption notices filed by the Company including substitute tariff sheets in Tariff Tracking Nos. YS-2012-0218, YW-2012-0216, YW-2012-0217, and states that the tariff sheets as described above, comply with the Commission's *Order*. Staff respectfully recommends the Commission approve these filings.

Respectfully submitted,

**/s/ Meghan McClowry**

Meghan E. McClowry  
Legal Counsel  
Missouri Bar No. 63070

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Missouri Public Service Commission  
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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 1st day of December, 2011.

**/s/ Meghan McClowry**

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Corporation and, in Connection Therewith,	)	YS-2012-0218
Certain Other Related Transactions.	)	

**AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.**

STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF COLE        )

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Utility Regulatory Engineering Supervisor in the Water and Sewer Unit of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Staff's Recommendation on Tariff Sheets*; (3) that he has knowledge of the matters set forth in the foregoing *Staff's Recommendation on Tariff Sheets*; and, (4) that the matters set forth in the foregoing *Staff's Recommendation on Tariff Sheets* are true and correct to the best of his knowledge, information and belief.

  
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James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 29<sup>th</sup> day of November 2011.

  
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Notary Public

