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James M. Fischer
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May 10, 2016

VIA EFIS

Secretary
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65101

**Re: Liberty Utilities (Midstates Natural Gas) Corp.
d/b/a Liberty Utilities Tariff Correction
1st Revised Sheet No. 97**

Dear Secretary:

Enclosed for filing please find the following revised tariff sheet to Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities' ("Liberty Utilities") P.S.C. MO. No. 2: 1st Revised Sheet No. 97. This revised tariff sheet is filed to correct a previous inadvertent error, as the current tariff language does not reflect the meter testing variance previously ordered by the Commission, fully discussed below. This revised tariff sheet has an issue date of May 10, 2016 and an effective date of June 9, 2016.

On August 20, 2002, the Commission issued its *Order Granting Variance* in Case No. GE-2003-0007, in which it granted a permanent variance for Atmos Energy Corporation ("Atmos") from Commission Rule 4 CSR 240-10.030(19) (with the Commission noting that "The Commission has approved similar permanent variances for Union Electric Company, Laclede Gas Company and Missouri Gas Energy"). Staff supported the variance stating that Atmos' proposed meter-sampling program conforms to industry standards and is similar to other variances the Commission has granted to other Missouri gas corporations. That Order also specifically ordered Atmos "to file revised tariff sheets to include the variance granted herein no later than September 19, 2002."

In File No. GM-2012-0037 (Liberty Utilities' acquisition of the Missouri assets of Atmos), the Commission's *Order Approving Unanimous Stipulation and Agreement* issued March 14, 2012, ordered that the signatories shall be bound by and comply with

the terms of the Unanimous Stipulation and Agreement, which included the following provision:

"8. Adherence to Previous Commission Orders and Stipulations and Agreements

Liberty-Midstates shall comply with all requirements resulting from all Commission Approved stipulation and agreements and Commission Orders in all cases applicable to Atmos, which are still in force, from the effective date of the Commission's Order approving Atmos' acquisition of Greeley Gas Company in Case No. GM-94-6. To the extent any requirement in those prior stipulation and agreements and orders conflicts with a provision of the Stipulation and Agreement, the Stipulation and Agreement shall govern. **In addition, Liberty-Midstates shall comply with all Commission rules** (including but not limited to the Commission's Cold Weather Rule, Gas Safety rules and Affiliate Transactions rules), reporting requirements and other practices, **subject to existing waivers or variances authorized by the Commission for Atmos.** (emphasis added)

Accordingly, the Commission order granting the permanent variance is still in effect and applicable to Liberty Utilities. While Atmos and Liberty Utilities continued the meter sampling program in accordance with the variance and Commission Order, it appears that the relevant language referencing the variance and statistical sampling was inadvertently dropped out by Atmos in the 2007 tariff revisions creating the new and combined PSC No. 2 tariff. The attached revised tariff sheet's proposed language (Paragraph 1.1(b), first full paragraph) mirrors the language set forth in the previous Atmos tariff, except for the reference to "Company's predecessor" and the correction of a typographical error to the rule citation.

Please bring this filing to the attention of the appropriate Commission personnel. If there are any questions regarding this filing, they may be addressed to the undersigned or to Jill Schwartz, Utility Rates and Regulatory Manager, Liberty Utilities, (573) 755-0607. Thank you for your kind assistance.

Sincerely,

/s/ Larry W. Dority

Larry W. Dority

Enc: P.S.C. MO. No. 2: 1st Revised Sheet No. 97

cc: Office of the Public Counsel
Jeff Keevil, Deputy Counsel, Staff Counsel's Office