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

In the Matter of The Empire District Electric Company, Liberty Utilities (Central) Co. and Liberty Sub Corp. Concerning an Agreement and Plan of Merger and Certain Related Transactions

File No. EM-2016-0213

## **ORDER DIRECTING NOTICE AND SETTING INTERVENTION DATE**

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Issue Date: March 17, 2016

Effective Date: March 17, 2016

On March 16, 2016, The Empire District Electric Company ("Empire"), Liberty Utilities (Central) Co. ("LU Central") and Liberty Sub Corp. filed a joint application asking the Commission to approve a transaction in which LU Central would acquire all of the common stock of Empire. Empire is engaged in the business of generating, purchasing, transmitting, distributing, and selling electric energy in Missouri and other states and providing water service in Missouri. Through wholly-owned subsidiaries, Empire also provides natural gas utility service and interexchange and private line telecommunications services in Missouri.

The Commission will direct that notice of the filing be given to potentially interested persons and entities. The Commission will also establish a deadline for the filing of applications to intervene.

The Commission notes that Section 393.190.1, RSMo 2000, requires the Commission to notify the county clerk of the counties within Empire's operating territory of the effect the merger would have on the tax revenues of the various political subdivisions within the service territory. The Commission hereby notifies those political subdivisions that the applicants represent that the proposed merger will have no financial impact on the tax revenues of the

political subdivisions in which any of the transferred structures, facilities, or equipment are located.

## THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall provide a copy of this order to the county commission of each county in the service territory of The Empire District Electric Company, and to the parties to The Empire District Electric Company's on-going electric rate case, File No. ER-2016-0023 and the parties to that company's most recent water rate case, File No. WR-2012-0300.

2. The Commission's Data Center shall provide a copy of this order to the county commission of each county in the service territory of The Empire District Gas Company, and to the parties to The Empire District Gas Company's most recent rate case, File No. GR-2009-0434.

3. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the Missouri General Assembly representing the residents of the electric, gas, and water service areas of The Empire District Electric Company, and to the news media serving the residents of those service areas of The Empire District Electric Company.

4. Any proper person or entity wishing to intervene in this matter shall file an application to intervene no later than April 14, 2016 with:

Morris L. Woodruff, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102

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5. This order shall become effective when issued.



## BY THE COMMISSION

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Morris L. Woodruff Secretary

Michael Bushmann, Senior Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 17<sup>th</sup> day of March, 2016.