

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 21st day of March, 2024.

In the Matter of the Request of Liberty Utilities (Missouri Water) LLC d/b/a Liberty for Authority to Implement a General Rate Increase for Water and Wastewater Service Provided in its Missouri Service Areas)	<u>File No. WR-2024-0104</u>
)	Tracking No. JW-2024-0126
)	
)	<u>File No. SR-2024-0105</u>
)	Tracking No. JS-2024-0127

**ORDER SUSPENDING TARIFF, DELEGATING AUTHORITY,
CONSOLIDATING FILES, AND SCHEDULING AN EVIDENTIARY
HEARING**

Issue Date: March 21, 2024

Effective Date: March 21, 2024

On March 13, 2024,¹ Liberty Utilities (Missouri Water) Corp. d/b/a Liberty (Liberty or “the Company”) filed proposed tariff sheets to increase its annual revenues by a total of an additional \$7,990,089 in annual water revenues and an additional \$75,178 in annual sewer revenues. The proposed annual water revenue increase is an increase of approximately 130.37%. The proposed annual sewer revenue increase is an increase of approximately 2.2%. The Company is also proposing to consolidate its rates into two sets of water rates, and two sets of wastewater rates, which would be consolidated from its existing fifteen water tariff rate areas and five wastewater tariff rate areas. The tariff sheets have a proposed effective date of April 12.

¹ All dates refer to 2024 unless otherwise indicated.

A. Suspension of Tariff

Section 393.150, RSMo (2016), authorizes the Commission to suspend the effective date of proposed tariffs for 120 days, plus an additional six months to allow for a hearing. To provide sufficient time to determine if Liberty's proposed tariffs are just and reasonable,² the Commission will suspend the tariffs for 120 days beyond their effective date. The Commission's experience demonstrates that a full hearing cannot be concluded within 120 days, so the Commission will suspend the tariffs for an additional six months.³

B. Notice of Contested Case

Section 393.150.1, RSMo, allows the suspension of the tariff pending a "full hearing" and decision on the tariff's propriety. Thus, this matter is a "contested case."⁴ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,⁵ including by stipulation and agreement.⁶ This order and notice does not require any party to file an answer. The Commission also provides notice that its discovery regulations may be found at 20 CSR 4240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁷ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery.

² Section 393.140(5), RSMo. Unless otherwise noted, all statutory references are to the Revised Statutes of Missouri as codified in 2016.

³ Section 393.150.2, RSMo.

⁴ Section 536.010(4), RSMo.

⁵ Section 536.060, RSMo.

⁶ 20 CSR 4240-2.115.

⁷ Section 386.240, RSMo.

D. Consolidation

Liberty filed a motion on March 13, 2024, to consolidate the above referenced water and sewer files. Commission rule 4 CSR 240-2.110(3) allows for the consolidation of cases with related questions of law or fact. Liberty notes that the water and wastewater operations are owned and operated by Liberty and have common offices, personnel, and overheads. Accordingly, the Commission will consolidate these files.

THE COMMISSION ORDERS THAT:

1. The proposed tariff sheets, Tracking No. JW-2024-0126, filed by Liberty are suspended for 120 days from April 12, 2024, to August 10, 2024, plus six months thereafter, until February 10, 2025.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel.
3. Liberty's motion to consolidate File Nos. WR-2024-0104 and SR-2024-0105 is granted, with WR-2024-0104 being the lead case.
4. The evidentiary hearing is scheduled for November 18-22, starting at 9:00 a.m. on November 18, 2024.
5. The evidentiary hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need an accommodation to participate in the evidentiary hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

6. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Hahn, Ch., Rupp, Coleman, Holsman
and Kolkmeyer CC., concur.

Clark, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 21st day of March 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 21, 2024

File/Case No. WR-2024-0104 and SR-2024-0105

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.