

**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.) **Case No. EM-2016-0213**
Concerning an Agreement and Plan of Merger and)
Certain Related Transactions)

STAFF'S STATEMENT OF POSITIONS

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Statement of Positions*, states as follows:

1. Detriment to Public Interest

- a) *Will the acquisition by LU Central and Liberty Sub Corp. of all of the capital stock of The Empire District Electric Company under the terms of the Agreement and Plan of Merger dated February 9, 2016 be detrimental to the public interest?*

No. If the conditions for merger approval outlined in the *Stipulation and Agreement* filed by the Joint Applicants and Staff on August 4, 2016, in this case are adopted by this Commission the acquisition will not be detrimental to the public interest.

- b) *To the extent there are any claimed detriments, what conditions, if any, are proposed by the parties that, if adopted by the Commission, would mitigate any such potential detriment or in the aggregate would offset any potential detriments?*

The conditions for merger approval outlined in the *Stipulation and Agreement* filed by the Joint Applicants and Staff on August 4, 2016, in this case, if adopted by this Commission, will mitigate or in the aggregate offset any potential detriments to the public interest that may arise from this acquisition.

WHEREFORE, Staff prays that the Commission will accept this *Statement of Positions*.

Respectfully Submitted,

/s/ Mark Johnson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 23rd day of August, 2016, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Mark Johnson