

**DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA**

\*\*\*\*\*

IN THE MATTER OF the Joint Application ) of Liberty Utilities Co., Liberty WWH, Inc., ) Western Water Holdings, LLC, and Mountain ) Water Company for Approval of a Sale and ) Transfer of Stock )	REGULATORY DIVISION  DOCKET NO. D2014.12.99
--	---

---

**MOUNTAIN WATER COMPANY’S AND WESTERN WATER HOLDINGS’  
NOTICE OF INTENT TO PROVIDE CONFIDENTIAL INFORMATION**

---

Mountain Water Company (“Mountain Water”) and Western Water Holdings, LLC (“Western Water”), by and through their undersigned counsel and pursuant to Admin. R. Mont. 38.2.5024, respectfully notify Liberty Utilities that Mountain Water and Western Water will file non-disclosure agreements for employee experts in order to permit those employee experts to (1) access the City’s testimony referring to Liberty’s confidential information, and (2) attend the hearing if and when confidential information is discussed. Mountain Water and Western Water are *not* seeking to obtain access to Liberty’s confidential information, or to permit the employee experts to access Liberty’s confidential information, beyond what has been or will be included in testimony or discussed during the hearing. The specific employee experts for Mountain Water and Western Water are:

- **John Kappes, President of Mountain Water.** Mr. Kappes’ job description and the description of previous positions and experience are included in his direct testimony that was filed in this proceeding on March 12, 2015. Mr. Kappes’ expertise is in the management, operation, and regulation of Mountain Water.

- **Leigh Jordan, Executive Vice President of Mountain Water and Park Water Company.**

Mr. Jordan has a B.A. in Geology and an M.S. in Engineering Science from the University of California at Berkeley. He is a licensed Civil Engineer in the State of California. Mr. Jordan has attended the NARUC Utility Rate Seminar, co-sponsored by the University of Utah, the NARUC Regulatory Studies Program, co-sponsored by Michigan State University, and the AWWA Water Utility Management Institute, offered through the University of Utah Division of Continuing Education. In 2002, Mr. Jordan was granted a Grade 2 Water Distribution Operator Certificate from the State of California Department of Health Services.

Mr. Jordan is a Director of the California Water Association, a member of its Regulatory Committee as well as a past member of its Accounting Committee, and currently serves on the Executive Committee and as the General Secretary and Treasurer. For 17 years, Mr. Jordan served as a member of the Rates and Revenues Committee of the National Association of Water Companies.

From 1982 to 1986, Mr. Jordan was employed by the California Public Utilities Commission (“CPUC”) as a Utilities Engineer during which time he prepared exhibits, testified before the Commission, and served as a technical advisor providing support to Administrative Law Judges and Commissioner's Aides in the preparation of decisions. Mr. Jordan began working for Park Water in 1986, assumed the position of Vice President - Revenue Requirements in 1987, Senior Vice President in 1993, and assumed his present position in 1999, although in 2001 his title at Park Water was changed from Chief Operating Officer to Executive Vice President. As Senior Vice President for Park Water, Mr. Jordan has been generally responsible for the regulatory affairs of Park Water and its regulated subsidiaries as well as providing support and general supervision in the areas of

Engineering, Risk Management, and Customer Relations. As Executive Vice President, Mr. Jordan's responsibilities are more global, and while the day to day responsibility for regulatory affairs now falls to the Director of Revenue Requirements, he still retains an overall responsibility.

Mr. Jordan served as the Project Manager for Mountain Water's last ten general rate increase applications before the Montana Public Service Commission for Mountain Water's Missoula operation, Docket Nos. 89.6.23, 92.4.19, 96.4.61, 98.5.104, 2000.7.112, 2002.5.60, 2005.4.49, 2008.9.119, 2010.4.41, and 2012.7.8, as well as the last three general rate increase applications for Mountain Water's Superior Division, Docket Nos. 92.6.30, 94.10.46, and 96.6.97. Mr. Jordan testified before the Montana Public Service Commission in connection with Docket Nos. 92.4.19, 94.7.26, 94.10.46, 96.4.61, 96.6.97, 98.5.104, 2000.7.112, 2002.5.60, 2005.4.49, 2008.9.119, 2010.4.41, and 2012.7.81 and before the CPUC on numerous occasions in connection with general rate increase applications and cost of capital applications, as well as investigatory and rule making proceedings, on behalf of Park and its California subsidiaries. In the above proceedings, Mr. Jordan sponsored testimony on all aspects of the revenue requirement and cost of capital, where applicable, as well as water company risk, regulatory mechanisms, and regulatory principles. Mr. Jordan's expertise is in utility regulation and ratemaking.

- **Robert Dove, Managing Director of The Carlyle Group, head of Carlyle Infrastructure Partners, L.P., and Chairman of the Board of Western Water.** Mr. Dove's job description and the description of previous positions and experience are included in his direct testimony that was filed in this proceeding on March 12, 2015. As it relates to this proceeding, Mr. Dove's expertise includes infrastructure investments.

- **Chris Schilling, Chief Executive Officer of Park Water.** Mr. Schilling is the CEO of Park Water. Before joining Park Water in 2009, Mr. Schilling was a Managing Director at Bank of America Merrill Lynch and a Managing Director at Bank of America Securities, LLC. Mr. Schilling's expertise includes the management and operation of water utilities.
- **Bryan Lin, Principal of The Carlyle Group and member of the Board of Directors for Western Water.** Mr. Lin is a principal with The Carlyle Group and member of the Board of Directors for Western Water. Prior to joining Carlyle, Mr. Lin was a Director at Citigroup/Salomon Smith Barney where he focused on structured finance and project finance transactions in infrastructure, power, and energy sectors. As it relates to this proceeding, Mr. Lin's expertise includes infrastructure investments.

Respectfully submitted this 8th day of December, 2015.

**HOLLAND & HART LLP**

*s/ Thorvald Nelson*

Thorvald Nelson, # 8666

Nikolas Stoffel, # 13485

Holland & Hart LLP

6380 South Fiddlers Green Circle, Suite 500

Greenwood Village, CO 80111

Telephone: (303) 290-1601, 1626, respectively

[tnelson@hollandhart.com](mailto:tnelson@hollandhart.com)

[nsstoffel@hollandhart.com](mailto:nsstoffel@hollandhart.com)

**ATTORNEYS FOR MOUNTAIN WATER  
COMPANY AND WESTERN WATER  
HOLDINGS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this, the 8th day of December, 2015, **MOUNTAIN WATER COMPANY'S AND WESTERN WATER HOLDINGS' NOTICE OF INTENT TO PROVIDE CONFIDENTIAL INFORMATION** was filed with the Montana PSC and served via U.S. Mail and/or e-mail, unless otherwise noted, to the following:

<p>Will Rosquist Sandy Scherer Montana PSC 1701 Prospect Avenue PO Box 202601 Helena, MT 59620-2601 <a href="mailto:sscherer@mt.gov">sscherer@mt.gov</a> <b>via UPS</b></p>	<p>Robert Nelson Monica Tranel Montana Consumer Counsel 111 North Last Chance Gulch, Suite 1B P.O. Box 201703 Helena, MT 59620-1703 <a href="mailto:robnelson@mt.gov">robnelson@mt.gov</a> <a href="mailto:MTranel@mt.gov">MTranel@mt.gov</a></p>
<p>Barbara Chillcott Legal Director The Clark Fork Coalition 140 S 4th Street West, Unit 1 PO Box 7593 Missoula, MT 59801 <a href="mailto:barbara@clarkfork.org">barbara@clarkfork.org</a></p>	<p>Jim Nugent City Attorney The City of Missoula City Attorney's Office 435 Ryman Street Missoula, MT 59802 <a href="mailto:JNugent@ci.missoula.mt.us">JNugent@ci.missoula.mt.us</a></p>
<p>Gary Zadick #2 Railroad Square, Suite B P. O. Box 1746 Great Falls, MT 59403</p>	<p>Scott Stearns Natasha Prinzing Jones BOONE KARLBERG P.C P.O. Box 9199 Missoula, MT 59807-9199 <a href="mailto:npjones@boonekarlberg.com">npjones@boonekarlberg.com</a> <a href="mailto:sstearns@boonekarlberg.com">sstearns@boonekarlberg.com</a></p>
<p>Thorvald A. Nelson Nikolas S. Stoffel Holland &amp; Hart LLP 6380 South Fiddlers Green Circle Suite 500 Greenwood Village, CO 80111 <a href="mailto:tnelson@hollandhart.com">tnelson@hollandhart.com</a> <a href="mailto:nsstoffel@hollandhart.com">nsstoffel@hollandhart.com</a></p>	<p>John Kappes President &amp; General Manager Mountain Water Company 1345 West Broadway Missoula, MT 59802-2239 <a href="mailto:johnk@mtwater.com">johnk@mtwater.com</a></p>
<p>Christopher Schilling Chief Executive Officer Leigh Jordan Executive Vice President Park Water Company 9750 Washburn Road Downey, CA 90241 <a href="mailto:CSchilling@parkwater.com">CSchilling@parkwater.com</a> <a href="mailto:LeighJ@parkwater.com">LeighJ@parkwater.com</a></p>	<p>Michael Green John Semmens CROWLEY FLECK PLLP 100 North Park, Suite 300 P. O. Box 797 Helena, MT 59624-0797 <a href="mailto:mgreen@crowleyfleck.com">mgreen@crowleyfleck.com</a> <a href="mailto:jsemmens@crowleyfleck.com">jsemmens@crowleyfleck.com</a></p>

<p>Todd Wiley Assistant General Counsel Liberty Utilities 12725 West Indian School Road, Suite D-101 Avondale, AZ 85392 <a href="mailto:Todd.Wiley@LibertyUtilities.com">Todd.Wiley@LibertyUtilities.com</a></p>	
	<p>For electronic service only:</p> <p><a href="mailto:cakennedy@hollandhart.com">cakennedy@hollandhart.com</a> <a href="mailto:aclee@hollandhart.com">aclee@hollandhart.com</a> <a href="mailto:cuda@crowleyfleck.com">cuda@crowleyfleck.com</a> <a href="mailto:jtolan@crowleyfleck.com">jtolan@crowleyfleck.com</a> <a href="mailto:tsunderland@boonekarlberg.com">tsunderland@boonekarlberg.com</a> <a href="mailto:jlangston@mt.gov">jlangston@mt.gov</a> <a href="mailto:lfarkas@mt.gov">lfarkas@mt.gov</a> <a href="mailto:Bryan.Lin@carlyle.com">Bryan.Lin@carlyle.com</a> <a href="mailto:SSnow@mt.gov">SSnow@mt.gov</a> <a href="mailto:rtanner@boonekarlberg.com">rtanner@boonekarlberg.com</a> <a href="mailto:tstockton@boonekarlberg.com">tstockton@boonekarlberg.com</a></p>

*s/ Adele C. Lee*

8286348\_1