

Service Date: August 26, 2015

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

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

**NOTICE OF STAFF ACTION**

1. On December 15, 2014, Liberty Utilities Company filed a *Joint Application for Approval of a Sale and Transfer of Stock* with the Montana Public Service Commission ("Commission"). Joint Applicants include Liberty Utilities Co., Liberty WWH, Inc., Western Water Holdings, LLC, and Mountain Water Company.

2. On December 23, 2014, the Commission issued a *Notice of Application and Intervention Deadline* and granted intervention to the City of Missoula ("the City"), Mountain Water Employees, the Clark Fork Coalition, and the Montana Consumer Counsel ("MCC"). On February 9, 2015, the Commission issued a *Procedural Order* ("Order 7392") outlining deadlines for this docket.

3. On April 13, 2015, the Commission amended *Order 7392* to allow more time for intervenors to issue data requests to the Joint Applicants and more time for Joint Applicants to respond to data requests. *See* Notice of Staff Action p. 1 (Apr. 13, 2015).

4. On June 29, 2015, the Commission amended *Order 7392* to allow more time for intervenors to submit prefiled testimony and extended the other deadlines remaining. The hearing date was set for October 19-20, 2015. *See* Notice of Staff Action p. 2 (Jun. 29, 2015).

5. On August 11, 2015, the MCC filed a *Motion to Suspend the Procedural Schedule* established in *Order 7392*, as modified in the *Notice of Staff Action* issued June 29, 2015. On August 25, the City requested extending the deadline for Intervenor testimony to September 28, 2015, and the rest of the procedural schedule as appropriate in a letter sent to the Commission. The Commission declines to implement either of these requests because it fully intends to

preserve the October 19-20, 2015 hearing dates, which would be impossible to accomplish under either request. However, the Commission is willing to provide reasonable extensions to the remaining deadlines. Therefore, Paragraph 6 of *Order 7392* is amended to the following:

- (h) September 4, 2015: Final day for intervenor testimony.
- (i) September 14, 2015: Final day for data requests to intervenors.
- (j) September 16, 2015: Final day for the Commission to identify additional issues.
- (k) September 25, 2015: Final day for intervenors to respond to data requests issued on September 14, 2015.
- (l) October 2, 2015: Final day for Joint Applicants to file rebuttal testimony and for intervenors to file cross-intervenor response testimony.
- (m) October 8, 2015: Final day for written discovery to Joint Applicants about their rebuttal testimony and written discovery to intervenors about cross-intervenor response testimony.
- (n) October 14, 2015: Final day for Joint Applicant's responses to written discovery about its rebuttal testimony and intervenors' responses to written discovery about cross-intervenor response testimony.
- (o) October 16, 2015: Deadline for pre-hearing memorandum.
- (p) October 19-20, 2015: Hearing.

*See Or. 7392 ¶ 6* (Feb. 9, 2015). All other provisions of *Order 7392* remain "effective unless [again] modified by the Commission or staff." *Id.*

DONE AND DATED this 26<sup>th</sup> day of August, 2015, by delegation to Commission staff as an Order of the Commission.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman  
TRAVIS KAVULLA, Vice Chairman  
KIRK BUSHMAN, Commissioner  
ROGER KOOPMAN, Commissioner  
BOB LAKE, Commissioner