

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.

6. On August 26, 2015, the Commission again modified *Order 7392*, but the parties

were again unable meet the September 4, 2015 deadline for intervenor testimony. See Notice of Staff Action p. 2 (Aug. 26, 2015). Due to these difficulties, the Commission suspended the entire schedule in a Notice of Staff Action issued on September 1, 2015. In order to allow this proceeding to move forward, Paragraph 6 of *Order 7392* is amended to the following:

- (h) November 4, 2015: Final day for intervenor testimony.
- (i) November 16, 2015: Final day for data requests to intervenors.
- (j) November 25, 2015: Final day for the Commission to identify additional issues.
- (k) December 1, 2015: Final day for intervenors to respond to data requests.
- (l) December 10, 2015: Final day for Joint Applicants to file rebuttal testimony and for intervenors to file cross-intervenor response testimony.
- (m) December 18, 2015: Final day for written discovery to Joint Applicants about their rebuttal testimony and written discovery to intervenors about cross-intervenor response testimony.
- (n) December 29, 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) January 22, 2016: Deadline for pre-hearing memorandum.
- (p) January 27-29, 2016: 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 19th day of October, 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