

Service Date: December 21, 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, Mountain Water Employees, the Clark Fork Coalition, and the Montana Consumer Counsel. On February 9, 2015, the Commission issued a *Procedural Order 7392* outlining deadlines for this docket.

3. Due to the vigorous motion practice of the parties in this proceeding, the Commission has been forced to amend its procedural schedule multiple times. *See* Notice of Staff Action (2) (Apr. 14, 2015); Notice of Staff Action (3) (May 21, 2015); Notice of Staff Action (4) (Jun. 29, 2015); Notice of Staff Action (5) (Aug. 26, 2015); Notice of Staff Action (6) (Sept. 1, 2015); Notice of Staff Action (7) (Oct. 19, 2015).

4. The City of Missoula has petitioned the Montana Fourth Judicial District Court to review the decisions of the Commission to not stay or dismiss this proceeding, to not join Algonquin Power and Utilities Corp. to this proceeding, and to implement special provisions in a protective order of proprietary information. On December 18, 2015, the District Court held a hearing and subsequently ordered the Commission to temporarily stay its proceeding. Therefore, dates (n) through (p) of the October 19, 2015 *Notice of Staff Action* are hereby vacated. A new schedule will be put in place at such time as the District Court orders that the Commission may

continue with its proceeding.

DONE AND DATED this 21st day of December, 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