

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Verified Application and	)	
Petition of Liberty Energy (Midstates) Corp.	)	<b>Case No. GO-2013-0048</b>
d/b/a Liberty Utilities to Change its Infrastructure	)	Tracking No. YG-2013-0071
System Replacement Surcharge.	)	

**NOTICE OF AGREEMENT**

**COMES NOW** Liberty Energy (Midstates) Corp. d/b/a Liberty Utilities (“Liberty Utilities” or "Liberty"), pursuant to Commission Rule 4 CSR 240-2.080(13), and hereby notifies the Commission of Liberty Utilities’ Agreement with the Staff Recommendation filed herein and respectfully states as follows:

1. On October 5, 2012, the Commission Staff (“Staff”) filed a Staff Recommendation that described Staff’s examination and investigation of Liberty Utilities’ Verified Application and Petition, supporting documentation and data regarding Liberty Utilities’ proposed increase to its existing Infrastructure System Replacement Surcharge (“ISRS”).

2. Based upon its investigation, the Staff recommends that the Commission issue an Order that:

1. Rejects the ISRS tariff sheet (YG-2013-0071) filed by Liberty on August 8, 2012;
2. Approves Staff’s determination of the incremental ISRS surcharge revenues in the amount of annual pre-tax revenues of \$475,280, consisting of \$58,221 for the WEMO district, \$184,335 for the SEMO District, and \$232,723 for the NEMO District;
3. Authorizes Liberty to file an ISRS rate for each customer class as reflected in Appendix B (of the Staff Recommendation); and

4. Approves Liberty's request for waiver of the 60 day notice requirement for contested cases.

3. Having reviewed the October 5, 2012 Staff Recommendation and its attached Appendices, Liberty Utilities hereby notifies the Commission that it is in agreement with the rates recommended therein and asks that the Commission issue an order as requested by Staff.

WHEREFORE, Liberty Utilities respectfully requests that the Commission consider this Notice of Agreement and, thereafter, issue an order consistent with the Staff Recommendation.

Respectfully submitted,

**/s/ Larry W. Dority**

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Attorneys for Liberty Energy (Midstates)  
Corp. d/b/a Liberty Utilities

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Notice of Agreement was served on all counsel of record on this 8<sup>th</sup> day of October, 2012 by hand-delivery, fax, electronic or regular mail.

/s/ Larry W. Dority  
Larry W. Dority