

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

In the Matter of Liberty Utilities (Missouri Water) LLC and     )  
Ozark International, Inc., Concerning an Agreement to     )  
Acquire the Assets of Bilyeau Ridge Water Company, LLC     )  
Midland Water Company, Inc., Moore Bend Water Utility,     ) **File No. WM-2018-0023**  
LLC, Riverfork Water Company, Taney County Water, LLC     )  
And Valley Woods Utility     )

**MISSOURI DEPARTMENT OF NATURAL RESOURCES'**

**APPLICATION TO INTERVENE**

**COMES NOW** Missouri Department of Natural Resources ("MDNR") and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that the Commission issue an order granting this Application to Intervene. For its Application, MDNR states as follows:

1. Liberty Utilities (Missouri Water) LLC and Ozark International, Inc. have filed a joint application for Liberty Utilities, LLC to acquire six water and sewer companies that are wholly-owned subsidiaries of Ozark International, Inc.
2. On September 14, 2017, the Public Service Commission ordered that those wishing to intervene do so by October 6, 2017.
3. Pursuant to Rule 4 CSR 240-2.075 (1), "[a] motion to intervene...shall be filed within thirty (30) days after the commission issues its order giving notice of the case, unless otherwise ordered by the commission." This motion to intervene is timely made.
4. Rule 4 CSR 240-2.075 (3) sets forth the standard by which the Commission may grant a motion to intervene. The Commission may grant the motion if the proposed intervenor "...has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or ... the proposed intervention would serve the public interest."
5. MDNR is a state agency charged, pursuant to § 640.010, RSMo, with administering and executing the policies of environmental programs and commissions assigned to MDNR, including the Missouri Safe Drinking Water Law, § 640.100 *et seq.* RSMo.
6. In 2016, MDNR applied for and was granted intervention in Office of Public Counsel v. Moore Bend Water Utility, LLC, File No. WC-2016-0252 for the purpose of pursuing its authority to enforce the Safe Drinking Water Law and protecting its interests in ensuring that Moore Bend Water Utility, LLC attained and maintained compliance with the Missouri Safe Drinking Water Law.
7. MDNR has been an active participant in File No. WC-2016-02052.
8. Moore Bend Water Utility, LLC is one of the systems that may be acquired in this proceeding.

9. MDNR has both an interest different than that of the general public that may be adversely affected by a final order, and its intervention will serve a public interest, in that it seeks to protect public health and the environment. MDNR's review and participation will relate to its authority to enforce the Safe Drinking Water Law regarding the Moore Bend Water Utility, LLC. MDNR also has an interest in Moore Bend attaining and maintaining compliance in the future. MDNR has similar interests regarding the other companies that may be acquired in this matter.

10. MDNR generally supports Liberty Utilities' acquisition of the six companies that are the subject of this proceeding.

11. Communications, correspondence, orders, and decision in this matter should be addressed to:

Don Willoh  
Deputy General Counsel  
Missouri Department of Natural Resources  
PO Box 176  
Jefferson City, Missouri 6510-0176

with a copy to:

Lance Dorsey, Chief  
Compliance & Enforcement Section  
Public Drinking Water Branch  
Missouri Department of Natural Resources  
PO Box 176  
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WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

/s/

  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 26 day of September, 2017.

/s/



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