

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:	
LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP. D/B/A LIBERTIES UTILITIES	DOCKET NO. RPU-2020-0002

**ORDER ESTABLISHING PROCEDURAL SCHEDULE, SETTING CONSUMER
COMMENT HEARING DATES, AND REQUIRING NOTICE OF CONSUMER
COMMENT HEARINGS**

BACKGROUND

On December 31, 2020, Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities (Liberty) filed with the Utilities Board (Board) an Application for Revision of Rates (Application) proposing to implement a general rate increase for natural gas service, identified as Docket No. RPU-2020-0002. Liberty's proposed tariff revisions have been identified as Docket No. TF-2020-0277.

PROCEDURAL SCHEDULE

A scheduling conference was held February 19, 2021. Liberty and the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, appeared at the scheduling conference. The parties agreed to dates for intervention, filing of prepared testimony, filing a joint statement of issues, a settlement deadline, and a hearing. The agreed-upon dates are attached to this order as Attachment A.

Should a person or party seek and be granted formal intervention, the person or party is allowed to present evidence and question witnesses as a party. Those granted

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intervention also are allowed to present their own witnesses or evidence as it relates to the entire revision of rate application.

CONSUMER COMMENT HEARINGS

The Board's rules at 199 Iowa Administrative Code (IAC) 26.9 govern consumer comment hearings. The Board will hold two consumer comment hearings to allow the public an opportunity to provide comments on Liberty's Application. The first consumer comment hearing will be an in-person hearing held at 5:30 p.m. April 22, 2021, in Keokuk, Iowa. The second consumer comment hearing will be virtual and will begin at 5:30 p.m. April 27, 2021. In accordance with 199 IAC 26.9(1), Liberty shall have representatives at both consumer comment hearings.

To ensure that Liberty's customers are aware of the time and place of the consumer comment hearings, Liberty will provide notice in the form of a mailing to its customers, a news release, and publication in a local newspaper of general circulation. The notice to be mailed and published shall be similar to the notice in Attachment B.

SETTLEMENT PROCEDURES

If the parties to this proceeding reach a settlement that resolves any of the contested issues, the settlement must comply with the provisions of 199 IAC 7.18. If a proposed settlement is not filed on or before the date specified in the procedural schedule, the Board will conduct the hearing as scheduled, unless the Board orders otherwise. If a unanimous settlement is reached among the parties, the Board is required to consider whether the "settlement is reasonable in light of the whole record, consistent with law, and in the public interest." In addition, 199 IAC 7.18(1) requires that

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a motion for the Board to approve a settlement contain a statement adequate to advise the Board of the scope of the settlement and the grounds on which adoption is requested. Non-unanimous settlements must follow the procedures described in 199 IAC 7.18(2)–(5). Also, each party to a partial settlement shall file a statement summarizing its position on, and proposed resolution of, each issue that remains in dispute.

To ensure that the Board has the necessary evidence in the record in this docket to fulfill the requirements of rule 7.18, the parties to any unanimous settlement in this docket shall either cite to those portions of the record that support the terms of the settlement or provide the Board with additional evidence to support the terms of the settlement. Based upon a review of the terms of a settlement, the record, and any additional information requested by the Board, a settlement may be approved as filed, rejected, or approved with modifications that will then need to be considered by the parties.

MARKING OF TESTIMONY AND EXHIBITS

Prepared testimony and exhibits shall be filed in accordance with 199 IAC chapter 14 and the following Board naming convention:

- Prefiled direct, rebuttal, and reply testimony shall be identified by “(name of party) (witness last name) Direct/Rebuttal/Reply/Cross-rebuttal Testimony.”
- Exhibits supporting direct, rebuttal, or reply testimony shall be identified by “(name of party) (witness last name) Direct/Rebuttal/Reply/Cross-rebuttal Exhibit (exhibit number).” Exhibits are numbered sequentially.
- Exhibits offered at hearing shall be identified as “(name of party) Hearing Exhibit (number of exhibit).”
- Information in an exhibit may be formatted and identified based upon the filing party’s internal policies, to the extent such policies are consistent

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with 199 IAC 14.5, and shall be identified with the exhibit number on each page of the exhibit.

- Testimony and supporting documents should be titled using the naming convention above when entering the document titles in the Board's electronic filing system (EFS). Documents that do not comply with this naming convention will not be accepted for filing.
- Exhibits not previously filed in EFS prior to the hearing shall be filed in EFS within three days of the conclusion of the hearing.
- Testimony and exhibits may not be combined into one document.

Rather than having each party provide a paper copy of its prefiled testimony and exhibits to the court reporter, at the hearing the Board will ask the parties to stipulate all prefiled testimony and exhibits be made a part of the record.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. The procedural schedule established for this docket is attached to this order and identified as Attachment A.
2. An in-person consumer comment hearing is set for 5:30 p.m. April 22, 2021, at the Grand Theatre at 26 N. Sixth St., Keokuk, Iowa. A virtual consumer comment hearing is set for 5:30 p.m. April 27, 2021.
3. Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities shall issue a news release informing customers of the consumer comment hearings and publish Attachment B in a newspaper of general circulation in Keokuk at least 10 days prior to the first consumer comment hearing. Additionally, Attachment B shall be sent to Liberty's customers, and may be included as a bill insert, so the customers receive at least 20 days of notice prior to the first consumer comment hearing.

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4. Any settlements that resolve any of the contested issues in this proceeding must be filed on or before July 13, 2021, to allow the Utilities Board time to determine whether the hearing should be held as scheduled. If a proposed settlement is filed with the Utilities Board after July 13, 2021, the Utilities Board will consider the settlement, and any issues that are not subject to the settlement, at the hearing scheduled pursuant to this procedural schedule, unless ordered otherwise.

5. A public hearing for the presentation of evidence and the cross-examination of witnesses shall begin July 27, 2021, at the Grand Theatre at 26 N. Sixth St., Keokuk, Iowa. Persons with disabilities who will require assistive services or devices to observe or participate in this hearing shall contact the Utilities Board Customer Service at (515) 725-7300 at least ten business days in advance of the hearing to request appropriate arrangements.

UTILITIES BOARD

Geri Huser Date: 2021.03.02
19:16:16 -06'00'

Richard Lozier Date: 2021.03.03
13:11:20 -06'00'

ATTEST:

Anna Hyatt Date: 2021.03.03
13:42:30 -06'00'

Joshua J Byrnes Date: 2021.03.02
18:11:12 -06'00'

Dated at Des Moines, Iowa, this 3rd day of March, 2021.

ATTACHMENT A

RPU-2020-0002 Procedural Schedule	
Procedural Activity	Dates
Petition Filed	12/31/2020
Scheduling Conference	2/19/2021
Intervention Deadline	3/19/2021
Settlement Deadline	7/13/2021
Notice Publication	
First Publication (at least 20 days prior to first customer comment hearing)	By 4/02/2021
Second Publication (at least 10 days prior first customer comment hearing)	By 4/12/2021
Consumer Comment Hearing	
Consumer Comment Hearing	4/22/2021
Virtual Consumer Comment Hearing	4/27/2021
Testimony	
OCA/Intervenor Direct Testimony	5/25/2021
OCA/Intervenor Cross-rebuttal Testimony	6/8/2021
Liberty Reply Testimony	6/22/2021
OCA Rebuttal	7/2/2021
Joint Statement of Issues	7/6/2021
Hearing/Post-hearing	
Hearing	7/27/2021

Liberty Utilities
Notice of Consumer Comment Hearings for Rate Increase Request

Dear Customer:

Recently you received notice of a proposed rate increase from Liberty Utilities. The Iowa Utilities Board scheduled consumer comment hearings applicable to the rate increase request. Consumer comment hearings allow customers and other consumers the opportunity to make oral comments about the proposed increase. A consumer comment hearing is the best opportunity to provide feedback directly to the Utilities Board and other parties involved in the rate case. The consumer comment hearings concerning this proposal have been scheduled for:

Keokuk in-person hearing

Date: April 22, 2020

Time: 5:30 p.m.

**Location: Grand Theatre
26 N. Sixth St.
Keokuk, IA 52632**

Virtual-only hearing

Date: April 27

Time: 5:30 p.m.

Location: iub.iowa.gov

Instructions for registering and participating in the virtual-only hearing can be found on the Utilities Board's website, iub.iowa.gov, on the Hearing and Hearing Calendar page. Those registering will receive a confirmation email containing information about joining the hearing.

In light of the COVID-19 pandemic, the Utilities Board will require that attendees at the in-person consumer comment hearing maintain six-foot social distancing and wear masks or face shields, and attendees will be subject to having temperatures taken upon entry. Masks, disinfectants, and gloves will be available if needed. The Utilities Board asks that you attend the virtual hearing in the event that any of the following apply to you:

1. You have recently been in close contact with someone who has COVID-19; or
2. You have tested positive for COVID-19 in the last 14 days; or
3. You are experiencing symptoms of COVID-19 (fever greater than 100 degrees, new loss of taste or smell, unusual shortness of breath, fatigue).

Also, you have the right to file a written comment or objection to the proposed increase with the Utilities Board and to request a public hearing. All written comments and objections should be addressed to: Utilities Board, 1375 E. Court Avenue, Des Moines, IA 50319-0069. Comments and objections may be submitted by email to customer@iub.iowa.gov and should include a reference to the docket number, RPU-2020-0002. Comments or objections may also be submitted via the comment form on the Utilities Board's website, <https://iub.iowa.gov/online-services/open-docket-comment-form>.

The Utilities Board should be provided with any facts that would assist in determining the justness and reasonableness of the requested increase and the two regulatory mechanisms discussed above. This information will be made available to the Office of Consumer Advocate, a division of the Iowa Department of Justice, which represents the public interest in rate cases before the Utilities Board.