

**ARKANSAS PUBLIC SERVICE COMMISSION  
QUARTERLY RATE CASE REPORT  
PURSUANT TO ARK. CODE ANN. § 23-4-420  
FOR THE QUARTER ENDED June 30, 2018**

**DOCKET:** 18-027-U

**COMPANY:** Liberty Utilities (Pine Bluff Water) Inc.

**CASE STYLE:** IN THE MATTER OF THE APPLICATION OF LIBERTY UTILITIES (PINE BLUFF WATER) INC. FOR APPROVAL OF A GENERAL CHANGE OR MODIFICATION IN RATES, CHARGES, AND TARIFFS

**CASE FILED:** May 1, 2018

**CASE SUMMARY:** Application requests a retail revenue requirement of \$11,787,866 and a requested return on equity and overall rate of return of 10.0% and 5.63%%, respectively.

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***COMPANY TESTIMONY  
FILING DATES:***

N/A

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***STAFF & INTERVENOR  
TESTIMONY FILING  
DATES:***

N/A

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***PUBLIC COMMENT  
HEARING & LOCATION:***

N/A

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***EVIDENTIARY HEARING &  
LOCATION:***

N/A

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***STATUTORY FINAL  
ORDER  
DEADLINE:***

N/A

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**STAFF CONTACT:**

Diana Brenske

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**STATUS:**

On April 24, 2018, Liberty Utilities established this docket by filing a Motion for Interim Protective Order of Non-Disclosure indicating its intent to file a general rate change application indicating that the application and accompanying testimony would have confidential information. However, prior to the entry of the protective order, Liberty Utilities filed its redacted Application along with redacted Minimum Filing Requirements (MFRs) pursuant to the Commission's Rules of Practice and Procedure (RPP). In its order issued May 2, 2018, the Commission noted, among other things, that Liberty Utilities failed to comply with filing deadlines and that the Application was incomplete because Liberty Utilities had not filed the confidential versions of its application and testimonies. The Commission found that the time period for Staff to review the MFRs would not start until the completed MFRs were filed. However, Liberty Utilities did not file the confidential versions timely or completely. When it did finally file its MFRs, Staff found significant deficiencies. The Attorney General supported Staff's filing and noted additional deficiencies. Liberty Utilities did not respond timely to Staff's Notice of Deficiencies. As part of its filing Liberty Utilities filed a second set of MFRs rather than eliminating or reducing areas of non-compliance found in the 1<sup>st</sup> MFRs thus compounding the inconsistencies and errors. As part of its general rate case Liberty Utilities sought approval for a consolidation with Woodson-Hensley Water Corp. Consolidations and acquisitions are not governed by the provisions governing rate cases which more than doubled the complexity of the docket. Staff determined that Liberty Utilities did provide sufficient evidence to support its acquisition request. Liberty Utilities never sought Staff's guidance from Staff in preparing its case as it is entitled to do under the RPPs. Staff filed a Motion for Order to Show Cause alleging that Liberty Utilities repeated failure to comply with the RPPs materially impaired and delayed the proper, considered, and orderly review of the Application by Staff. Staff requested that the Commission dismiss the Application without prejudice. On June 29, 2018, Liberty Utilities submitted a Motion to Withdraw Its Pending Application. However, included within the Motion to Withdraw was a Motion for a Waiver of the 60-day statutory notice requirement for refiling of an application. Staff filed a response indicating that it would only agree to a waiver conditionally. Liberty Utilities responded agreeing with some but not all of Staff's conditions. The matter is pending before the Commission

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**DOCKET:** 17-071-U

**COMPANY:** Black Hills Energy Arkansas, Inc. (BHEA)

**CASE STYLE:** IN THE MATTER OF THE APPLICATION OF BLACK HILLS ENERGY ARKANSAS, INC. FOR APPROVAL OF A GENERAL CHANGE IN RATES AND TARIFFS

**CASE FILED:** December 15, 2017

**CASE SUMMARY:** Application filed on December 15, 2017, requests a retail revenue requirement of \$121,041,436 and a requested return on equity and overall rate of return of 10.2% and 6.1756%, respectively.

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***COMPANY TESTIMONY***

***FILING DATES:*** June 26, 2018 – Rebuttal; August 1, 2018 – Sur-Surrebuttal

***STAFF & INTERVENOR***

***TESTIMONY FILING DATES:*** May 29, 2018 – Direct; July 24, 2018 - Surrebuttal

***PUBLIC COMMENT HEARING & LOCATION:***

September 4, 2018 – Blytheville;  
September 6, 2018 - Fayetteville

***EVIDENTIARY HEARING & LOCATION:***

August 28, 2018  
Arkansas Public Service Commission Hearing Room

***STATUTORY FINAL ORDER DEADLINE:***

October 15, 2018

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**STAFF CONTACT:** Diana Brenske

**STATUS:**

On September 29, 2017, BHEA filed, pursuant to A.C.A. § 23-4-401 a notice of intent to seek a general change in its rates and tariffs. On December 15, 2017, BHEA filed its Application along with its supporting testimony. Staff and the Attorney General filed Direct testimony on May 29, 2018; the Company filed rebuttal testimony on June 26, 2018. Staff is in the process of analyzing the Company's rebuttal testimony and preparing surrebuttal testimony for filing on July 24<sup>th</sup>.