

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 23-W-0235 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Liberty Utilities (New York Water) Corp. for Water Service.

NOTICE SEEKING COMMENTS ON JOINT PROPOSAL AND
ANNOUNCING PUBLIC STATEMENT HEARING

(Issued June 11, 2024)

Comments are sought concerning a Joint Proposal filed in the above-captioned proceeding on May 31, 2024. The terms of the Joint Proposal would establish a new rate plan for Liberty Utilities (New York Water) Corp. (the Company) for three years from April 1, 2024, through March 31, 2027. The signatories to the Joint Proposal are the Company and trial staff of the Department of Public Service.

The Company will remain organized in two separate service areas, Service Area 1 (SA1) and Service Area 2 (SA2). Service Area 1 is defined as the portion of the following water supply districts: Beaver Dam Lake, Cambridge, Dykeer, Hoey-DeGraw, Kingsvale, Long Island, Mt. Ebo, Waccubuc, West Branch Acres, and Wild Oak Districts. Service Area 2 is defined as the portion of the following water supply districts: Merrick and Sea Cliff Districts.

Rates would be levelized to moderate rate increases for customers in SA1, resulting in a \$13,704,197 increase in RY1 (17%), a \$13,704,197 increase in RY2 (15%), and a \$13,704,197 increase in RY3 (13%). In SA2, levelized increases would result in a \$3,536,025 increase in RY1 (9.2%), a \$1,833,278 increase in RY2 (4.5%), and a \$1,833,278 increase in RY3 (4.5%).

The proposed revenue requirements reflect a common

equity ratio of 48 percent and a return on equity of 9.1 percent. The proposed rate plan would also include an earnings sharing mechanism. All earnings attributable to an achieved return on common equity (i) greater than 9.75% and less than or equal to 10.1% will be shared 50%/50% between customers and shareholders, (ii) greater than 10.1% and less than or equal to 10.6% will be shared 75%/25% between customers and shareholders; and (iii) greater than 10.6% will be shared 90%/10% between customers and shareholders. Among other things, the Joint Proposal includes a water conservation program and customer benefit programs (including a Customer Assistance Program to aid low-income customers), and it requires that the Company take certain actions related to climate change and the environment.

The full text of the Joint Proposal and other filings in this proceeding may be reviewed online at the Department of Public Service web page at www.dps.ny.gov (please click "File Search" under the "Commission Files" heading, then enter "23-W-0235" in the "Search by Case Number" field).

The Public Service Commission (Commission) may adopt, adopt with changes, or reject, in whole or in part, any of the terms proposed in the Joint Proposal. The Commission may also adopt terms other than those proposed.

PLEASE TAKE NOTICE that a virtual public statement hearing will be held before Administrative Law Judges (ALJs) Tara A. Kersey and Dakin D. Lecakes, as follows:

DATE: Tuesday, July 16, 2024

TIME: 5:00 p.m.

Event Number: 2340 541 8625

Password: July16-5pm

Phone Access: 518-549-0500

Access Code: 2340 541 8625

Phone-in Password: 58591605

Those wishing to comment on any aspect of the Joint Proposal will have the opportunity to make a statement on the record at the virtual public statement hearing. **Any person wishing to provide a public statement on the record must register by 4:30 p.m. on Friday, July 12, 2024.**

To register and participate electronically:

This option is for participants who would like to provide a statement and will log in to the hearing electronically. Participants must register to do so by the date and time indicated above by visiting <https://signin.webex.com/join>. Registrants should enter the event number for the hearing, click "Register" underneath the enter the webinar password box, click "Register" in the box to the right, and provide all requested information.

When logging in to the hearing, participants should click on <https://signin.webex.com/join>, enter the event number for the hearing, and input the webinar password listed above. Participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers.

To register and to participate by phone:

This option is for participants who are not able to log in to the hearing electronically, but who wish to participate by phone. Call-in participants wishing to make a statement at the hearing must register to do so by the date and time indicated above by calling 1-800-342-3330, where they should follow the prompts to the appropriate hearing and provide the following information: first name and last name, address, and phone number.

On the day and time of the hearing, all call-in users should dial **1-518-549-0500** and enter the access code and phone-in password listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJs will call on each person who has registered to speak. The ALJs will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearing will be made for inclusion in the record of this case.

To listen to the hearing:

This option is for those who wish to listen only, without making a statement. Registration is not required for this option. Any person may listen to the hearing by phone by calling **1-518-549-0500** and entering the access code and phone-in password.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

Other Ways to Comment:

For those who cannot attend or prefer not to speak at the public statement hearing, there are several other ways to provide your comments to the Commission. Comments should refer

to "Case 23-W-0235 - Liberty NYW Rates." **Comments are requested by July 24, 2024.**

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "23-W-0235" in the "Search by Case Number" field, and then click on the "Post Comments" box located at the top of the page. Those unable to file electronically may mail their comments to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.¹

All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This number is set up to receive in-State calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

¹ Filing electronically is strongly encouraged.