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Exhibit No. 125

Staff – Exhibit 125 Dhority Surrebuttal File No. WR-2023-0006

Exhibit No.:

Issue(s): Cash Working Capital,

External Accounting Costs, Line Locate Expense, Easement Expense,

Reporting

Recommendations

Witness: Jane C. Dhority

Sponsoring Party: MoPSC Staff
Type of Exhibit: Surrebuttal Testimony

Case No.: WR-2023-0006

Date Testimony Prepared: July 21, 2023

MISSOURI PUBLIC SERVICE COMMISSION FINANCIAL & BUSINESS ANALYSIS DIVISION AUDITING DEPARTMENT

SURREBUTTAL TESTIMONY

OF

JANE C. DHORITY

CONFLUENCE RIVERS UTILITY OPERATING COMPANY, INC.

CASE NO. WR-2023-0006

Jefferson City, Missouri July 2023

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1	SURREBUTTAL TESTIMONY
2	OF
3	JANE C. DHORITY
4	CONFLUENCE RIVERS UTILITY OPERATING COMPANY, INC.
5	CASE NO. WR-2023-0006
6	Q. Please state your name and business address.
7	A. My name is Jane C. Dhority and my business address is 111 North 7th Street,
8	Suite 105, St. Louis, MO 63101.
9	Q. Are you the same Jane C. Dhority who filed direct and rebuttal testimony in this
10	case on May 26, 2023 and June 29, 2023, respectively?
11	A. Yes.
12	Q. What is the purpose of your surrebuttal testimony?
13	A. The purpose of this testimony is to respond to the rebuttal testimonies of
14	Confluence witnesses Brent Thies regarding third party accounting services and reporting
15	recommendations, Caitlin O'Reilly regarding Missouri One Call lobbying costs, and to discuss
16	adjustments made to cash working capital and easement expenses.
17	THIRD PARTY ACCOUNTING SERVICES
18	Q. What is Staff's position regarding third party accounting services?
19	A. Staff recommends removal of all costs for accounting services provided by
20	Anders CPA & Advisors ("Anders") as Confluence has an in-house accounting team and the
21	services provided by Anders are duplicative. ¹
	¹ WR-2023-0006 Staff Direct Testimony, pg. 6, ll. 17-18.

- Q. What is the Confluence's position regarding costs associated with the accounting services provided by Anders?
- A. Confluence stated in its rebuttal testimony that the services provided by Anders are not duplicative, and are a benefit to CSWR staff and customers.
 - Q. How so?
- A. Confluence stated that the services Anders provides allows CSWR's staff to review the journal entries prior to posting to the general ledger.² Furthermore, the work performed by Anders allows CSWR staff the flexibility to spend time on other accounting work, and if not for the support provided by Anders, employee time off would potentially create a backlog of time-sensitive accounting work.³
- Q. What is the nature of this "time-sensitive other accounting work" referred to by Confluence?
- A. In response to Staff Data Request No. 0439, Confluence provided a list of the "other accounting work" performed by Confluence in-house accounting staff. The list has been included with this testimony as Confidential Schedule-s1. The response also indicated that the "other accounting work" includes preparing journal entries to record assets from acquired systems. Confluence's response to Staff Data Request No. 0440 refers to the list of "other accounting work" provided in response to Staff Data Request No. 0439 and also states that "those duties listed as 'Monthly Close' or 'Management Reporting' are time sensitive".
 - Q. What is Staff's response to Confluence's position?

² Brent Thies Rebuttal Testimony, pg. 6, ll. 16-18

³ Brent Thies Rebuttal Testimony, pg. 6, ll. 20 through pg. 7, ll. 3

A. A comparison of the services provided by Anders to the description of the work performed by CSWR staff indicates that Anders is performing the same tasks as Confluence's in-house accounting team. Confluence's response to Staff Data Request No. 0439 further supports this finding. Despite multiple attempts by Staff to gain clarity regarding the necessity of engaging outside accounting services while simultaneously maintaining an in-house accounting team, Confluence has failed to assuage Staff's concerns that ratepayers are paying twice for the same service. Staff cannot recommend recovery of additional costs for Anders in order to ensure timely completion of "other accounting work" in the event a CSWR employee takes time off. Therefore, it is Staff's position that Confluence be denied recovery of the fees directly assigned to Confluence for Anders services as they are duplicitous.

REPORTING RECOMMENDATIONS

- Q. Did Staff recommend that Confluence maintain information in specific formats for use in future rate cases?
- A. Yes. Staff recommended that the Company keep certain information for use in future rate cases. This testimony addresses Staff's request that Confluence maintain a day-to-day collection report and also a refund report.
 - Q. Why is Staff requesting this information be maintained?
- A. Staff is requesting these reports be maintained so that the information can easily be provided to Staff upon request during a rate case in order to assist Staff in completing its audit. As is discussed in Staff witness Paul Amenthor's surrebuttal testimony, rate cases have

⁴ See confidential attachments Schedule JCD-s2 and Schedule JCD-s3 for Confluence's accounting manager job description and Anders' scope of services.

a statutory 11-month process with less than 5 months of that time available to audit all of a utility's books and records. Maintaining these reports increases the time Staff has to complete its audit since Staff will not have to spend considerable amounts of time compiling data needed for analysis.⁵

- Q. Does Confluence agree with Staff's recommendation to maintain these reports?
- A. No. In the rebuttal testimony of Company witness Brent Thies, he states that the data sought by Staff is already available and that converting it to a different format does not improve the quality of the data. Mr. Thies further argues that compiling and producing the data in the manner that Staff has requested will result in increased costs to the Company's ratepayers.⁶
 - Q. How does Staff respond to Mr. Thies' testimony?
- A. With regard to Staff's recommendation that Confluence maintain a refund report, Staff is willing to forgo this request so long as the Company maintains the billing report as discussed in Mr. Amenthor's surrebuttal testimony. This will decrease the time CSWR employees must spend maintaining the reports recommended by Staff. However, Staff still recommends that Confluence maintain a day-to-day collection report.
 - Q. What is Staff requesting when it asks for a day-to-day collection report?
- A. Staff is requesting that Confluence maintain a monthly report showing the payment habits of its customers. This report should show the amounts of actual revenue, not accounts receivable, collected at different time intervals. Examples of the options for the format of this report are attached to this testimony as Schedule JCD-s4 and Schedule JCD-s5. This

⁵ Amenthor Surrebuttal, pg. 4, ll. 10-18.

⁶ Thies Rebuttal, pg. 25, ll. 19 through pg. 26, ll. 6.

- reporting, especially option #1, would also assist the Company with monitoring uncollectible account behavior.
 - Q. Why is Staff recommending that Confluence maintain a collection report?
 - A. Staff requires this collection report be maintained so that the data can be used in lead/lag studies in future rate cases. A collection lag report would include data regarding how long it takes Confluence's customers to pay their bills, which in turn helps determine the timing of cash flow that is needed to determine the revenue lag in a cash working capital lead/lag study. In this case, Staff had to use a surrogate collection lag as the Company did not have the data Staff required to calculate Confluence's collection lag.
 - Q. Will maintaining this report be unduly burdensome to the Company?
 - A. No. While Staff recognizes that Confluence may incur additional time and possibly cost to initially set up this report, once the reporting is set up this report can be updated intermittently, perhaps by linking the report to billing reports that are already maintained. The costs should be minimal as employees would maintain this report and maintaining the collection report will ultimately save time for both Staff and the Company in future rate cases.

MISSOURI ONE CALL LOBBYING COSTS

- Q. Please explain the issue regarding costs associated with Missouri One Call lobbying activities.
- A. As part of its audit of line locate expenses, Staff discovered that Missouri One Call estimates that 1.5% of fees collected go towards lobbying activities. As lobbying activities are routinely disallowed by Staff and are not necessary for the provision of safe and adequate service, Staff recommended removal of \$63 of line locate expense.
 - Q. How did the Company respond to Staff's recommendation?

- A. In Confluence's rebuttal testimony, Confluence witness Caitlin O'Reilly disagreed with Staff's adjustment, and believes Confluence should receive full recovery of the lobbying costs in question.
 - Q. What justification did Ms. O'Reilly offer to support recovery of lobbying costs?
- A. Confluence's witness provided several reasons supporting recovery. Ms. O'Reilly cites Missouri Statute Section 319.022, RSMo., which states that any owner or operator of an underground utility is required to participate in a notification center (such as Missouri One Call), and that Confluence does not have the discretion to forgo payment of the lobbying portion of line locate fees. Ms. O'Reilly also stated that Staff's assertion that lobbying costs are not necessary to provide safe and adequate service to captive ratepayers is false, and referred to a letter provided by Missouri One Call stating that the firm's lobbying activities are focused on informing government officials about the organization and promoting and protecting the service it provides. Finally, Ms. O'Reilly stated that Missouri One Call only discloses its lobbying activities for tax purposes, and that Confluence believes that without such tax provisions, Missouri One Call would not have disclosed the information. She further adds that it may be possible some amounts paid by Confluence to other vendors could be used for expenses that Staff would deem as lobbying or other disallowed expense types.
- Q. In Ms. O'Reilly's rebuttal testimony, she quotes a portion of Staff's direct testimony regarding the disallowance of lobbying costs attributed to Missouri One Call. Her testimony states that, "Based upon the faulty premise that all 'lobbying costs are not necessary for the provision of safe and adequate service' and because lobbying costs 'are routinely

- disallowed by Staff,' Ms. Dhority proposed to disallow 1.5% of Confluence Rivers costs associated with being a participant in Missouri One Call." How does Staff respond?
 - A. Ms. O'Reilly incorrectly characterized Staff's disallowance of lobbying costs. While it is true that Staff routinely disallows lobbying costs, it should be noted that the costs being recommended for disallowance are for activities that are not beneficial to ratepayers. Staff does not take a "blanket" approach to banning lobbying for rate recovery, rather Staff's analysis seeks to determine if the ratepayer benefits from such costs before allowing the cost in rates.
 - Q. What is the nature of Missouri One Call's lobbying activities?
 - A. According to the letter from Missouri One Call attached to Ms. O'Reilly's rebuttal testimony, Missouri One Call is a non-profit organization whose "levels of lobbying involve legislative awareness and providing educational input for, and along with, any entity that may be considering legislative effect... to nurture understanding of the excavation ticketing process and any inherent identifiable problematic trends or issues. Our actions follow the best interest of human safety, damage prevention, and of comprehensive benefit to our utilities." The letter goes on further to state that "Missouri 811 does not provide any donations to political candidates, engage with any political parties, or make attempts to sway legislative decisions short of providing grassroots, educational information that may attempt to point out the unintended consequences of any given decision."
 - Q. What is Staff's position with regard to Missouri One Call lobbying costs?
 - A. Because Missouri One Calls lobbying activities are educational in nature rather than influencing legislative behavior and the activities are in support of safety and damage

prevention, they are a benefit to ratepayers. Therefore, it is Staff's position to allow recovery

of the costs associated with Missouri One Calls lobbying endeavors.

CASH WORKING CAPITAL

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- Q. Please explain the issue regarding cash working capital.
- A. In its direct testimony filing, Staff discussed that it believed it may be missing invoices needed for the lead/lag study conducted for this rate case. Also discussed was Staff's difficulty in obtaining accurate and reliable data from Confluence with which to analyze and develop a comprehensive response. It was Staff's intention to confirm that all invoices were included in the lead lag study and address any updates in its rebuttal testimony.
 - Q. Has Staff confirmed that it is missing invoices?
- A. Yes. Staff confirmed that it was missing invoices needed for its cash working capital lead/lag study, and notified Confluence regarding these items.
- Q. Did Confluence provide the missing invoices so Staff could include them in cash working capital for its rebuttal filing?
- A. No. As discussed in Staff's rebuttal filing, Staff and Confluence exchanged multiple emails on the subject and Staff also brought up the issue during the technical conference held on June 14, 2023.⁷ As a result, Confluence provided some of the requested invoices, but Staff did not receive the information in time to address the study in its rebuttal filing. Staff stated that it would update and finalize its lead lag study in its surrebuttal testimony.
 - Q. What is the current status of the missing invoices Staff has requested?
- A. Subsequent to Staff's rebuttal filing, Confluence has provided more of the invoices Staff has requested, but not all. Staff and Confluence have had several additional email

 $^{^7}$ WR-2023-0006 Staff Rebuttal Testimony, pg. 1, ll. 20, through pg. 2, ll. 7.

exchanges on the subject in which Confluence provided more invoices and also informed Staff 1 that it did not have some of the items Staff sought⁸. Additionally, Confluence has still failed to 2 3 provide sufficient documentation to support a \$120,207 Meridian Properties LLC easement. Has Staff completed its lead/lag study for this case? 4 Q. 5 A. Yes. Did Staff make any adjustments in light of the missing invoices? 6 Q. 7 Yes. A. 8 Q. Please explain. 9 Staff did not include data relating to the missing invoices in its calculation A. 10 of cash working capital for this case as Confluence did not provide documentation to support 11 these costs. What are the final results of Staff's cash working capital lead/lag study? 12 Q. 13 A. Staff's lead/lag study resulted in a positive working capital requirement 14 of \$27,703 (total company). 15 **EASEMENT EXPENSE** What is the nature of Staff's adjustment to easement expense? 16 Q. 17 A. In Staff's direct filing, amounts were included in account 923.6 for easement expense. Since that time, Staff has learned that the easements in question ended in December

Yes it does. A.

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⁸ In email exchanges with Staff, Confluence stated that it did not have 7 Platte-Clay Electric Co-Op and 2 Co-Mo Electric Co-Op invoices.

of 2022, therefore, Staff has made an adjustment to account 923.6 to remove these costs.

Q. Does this conclude your surrebuttal testimony?

⁹ WR-2023-0006 Staff Rebuttal Testimony, pg. 15, ll. 9-15.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Confluence Rivers Utility)	
Operating Company, Inc.'s Request for)	Case No. WR-2023-0006
Authority to Implement a General Rate)	
Increase for Water Service and Sewer)	
Service Provided in Missouri Service Areas)	
AFFIDAVIT OF	JANI	E C. DHORITY

STATE OF MISSOURI)	
)	SS
COUNTY OF ST. LOUIS)	

COMES NOW JANE C. DHORITY and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Surrebuttal Testimony of Jane C. Dhority*; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of St. Louis, State of Missouri, at my office in St. Louis, on this _______ day of July 2023.

LISA M. FERGUSON
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: June 23, 2024
Commission Number: 16631502

Notary Public

SCHEDULE JCD-s1

HAS BEEN DEEMED

CONFIDENTIAL

IN ITS ENTIRETY

SCHEDULE JCD-s2

HAS BEEN DEEMED

CONFIDENTIAL

IN ITS ENTIRETY

SCHEDULE JCD-s3

HAS BEEN DEEMED

CONFIDENTIAL

IN ITS ENTIRETY

PTION 1										
or informational purposes only										
	O	20 Davie)	20.00	2 Davis	60.00	2 Davis	00.46	20 Davis	400 - (400	450) D
Month of	Residential	0 - 30 Days) Non-Residential	Residential	Days Non-Residential	Residential	Days Non-Residential	Residential	20 Days Non-Residential	Residential	- 150) Days Non-Residential
April 2022	\$ 66,931,117.57					\$ 1,090,609.69	\$2,683,383.00		\$16,711,313.31	\$ 4,747,768.13
May 2022	\$ 52.406.630.07					. , ,	\$3,042,672.10		\$14,565,492.64	
June 2022	, ,	\$100.030.657.41					\$3,233,546.71		\$14,121,686.38	
July 2022	+, ,	\$113,857,760.45							- , ,	
August 2022		\$113,077,848.48					\$2,145,835.38		\$ 9,982,595.72	
September 2022		\$104,957,139.11				\$ 4,347,047.02			\$ 9,102,233.12	
October 2022		\$ 65,820,715.15								
November 2022		\$ 55,207,201.19							\$11,609,159.74	
December 2022		\$ 54,174,999.19					\$3,426,968.55		\$13,240,729.77	
January 2023		\$ 60,212,445.27					\$3,457,891.83		\$14,020,538.02	
February 2023		\$ 58,613,646.80					\$2,283,733.93		\$15,148,125.85	
	+,0,0	+,0,0.000		\$ 1,700,225.71	\$ 2,646,466.20		\$1,873,046.16		\$15,753,253.08	

OPTION 2					
For informationa	purposes only				
		Re	sidential		
		Revenue N	Nonth: Apr 2022		
	CURRENT	12 MO TO DATE	YEAR TO DATE	CURRENT	12 MO TO DATE
LAG DAYS	AMOUNT	AMOUNT	AMOUNT	DOLLAR DAYS	DOLLAR DAYS
30	\$ 402,575.34	\$ 1,694,898.10	\$ 1,694,898.10	\$12,077,260.20	\$ 50,846,943.00
31	\$ 346,648.87	\$ 1,814,521.69	\$ 1,814,521.69	\$10,746,114.97	\$ 56,250,172.39
32	\$ 403,672.97	\$ 1,768,676.83	\$ 1,768,676.83	\$12,917,535.04	\$ 56,597,658.56
33	\$ 356,707.82	\$ 1,649,025.99	\$ 1,649,025.99	\$11,771,558.06	\$ 54,417,857.67
34	\$ 402,474.18	\$ 1,864,329.26	\$ 1,864,329.26	\$13,684,122.12	\$ 63,387,194.64
35	\$ 494,265.64	\$ 2,113,904.18	\$ 2,113,904.18	\$17,299,297.40	\$ 73,986,646.30
36	\$ 383,395.33	\$ 1,589,189.96	\$ 1,589,189.96	\$13,802,231.88	\$ 57,210,838.56
37	\$ 275,096.71	\$ 1,118,129.83	\$ 1,118,129.83	\$10,178,578.27	\$ 41,370,804.82
38	\$ 281,088.84	\$ 1,242,925.62	\$ 1,242,925.62	\$10,681,375.92	\$ 47,231,173.56
39	\$ 323,498.93	\$ 1,377,163.96	\$ 1,377,163.96	\$12,616,458.27	\$ 53,710,175.22
40	\$ 370,246.99	\$ 1,448,408.63	\$ 1,448,408.63	\$14,389,879.60	\$ 57,936,345.20
41	\$ 467,281.13	\$ 1,808,892.07	\$ 1,808,892.07	\$19,158,526.33	\$ 74,164,574.87
42	\$ 624,375.37	\$ 2,399,129.53	\$ 2,399,129.53	\$26,223,765.54	\$ 100,763,440.26
43	\$ 580,741.54	\$ 1,917,591.57	\$ 1,917,591.57	\$24,971,886.22	\$ 82,456,437.51
44	\$ 366,851.73	\$ 1,415,231.03	\$ 1,415,231.03	\$16,141,476.12	\$ 62,701,465.32
45	\$ 519,404.84	\$ 1,848,807.33	\$ 1,848,807.33	\$23,373,217.59	\$ 83,196,329.85
46	\$ 653,787.81	\$ 2,154,144.32	\$ 2,154,144.32	\$30,074,239.26	\$ 99,089,258.72
47	\$ 668,747.33	\$ 2,403,557.40	\$ 2,403,557.40	\$31,431,124.51	\$ 112,967,197.80
48	\$1,026,442.08	\$ 3,590,992.50	\$ 3,590,992.50	\$49,269,219.84	\$ 172,367,640.00
49	\$ 835,053.09	\$ 3,077,064.21	\$ 3,077,064.21	\$40,917,601.41	\$ 150,776,146.29
50	\$ 424,968.57	\$ 1,984,112.61	\$ 1,984,112.61	\$21,248,428.50	\$ 99,205,630.50
51	\$ 229,253.12	\$ 1,298,933.70	\$ 1,298,933.70	\$11,691,909.12	\$ 66,245,618.70
52	\$ 301,317.12	\$ 1,248,316.12	\$ 1,248,316.12	\$15,668,490.24	\$ 34,912,438.24
53	\$ 336,984.73	\$ 1,437,820.10	\$ 1,437,820.10	\$17,860,190.69	\$ 76,204,465.30
54	\$ 286,279.13	\$ 1,137,144.26	\$ 1,137,144.26	\$15,459,074.64	\$ 61,405,790.04
55	\$ 451,191.53	\$ 1,220,198.69	\$ 1,220,198.69	\$24,815,534.15	\$ 67,110,927.95
56	\$ 469,009.61	\$ 1,298,369.93	\$ 1,298,369.93	\$26,264,538.16	\$ 72,708,706.08
57	\$ 276,164.22	\$ 768,015.23	\$ 768,015.23	\$15,741,360.54	\$ 43,776,868.11
58	\$ 129,359.23	\$ 477,352.29	\$ 477,352.29	\$ 7,502,852.74	\$ 27,686,450.22
59	\$ 143,159.48	\$ 540,830.24	\$ 540,830.24	\$ 8,446,409.32	\$ 31,988,984.16