

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

In the Matter of the Application of World Fuel )	
Services, Inc. for Certification as a Seller of )	<b><u>File No. GA-2018-0024</u></b>
Energy Services in the State of Missouri )	

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its Recommendation in this matter states as follows:

1. On July 21, 2017, World Fuel Services, Inc. ("WFS") filed an application with the Commission for certification as a seller of energy services in the state of Missouri under Section 393.299, RSMo.

2. Also on July 21, 2017, the Commission issued, by delegation of authority, an Order directing Staff to file a recommendation regarding WFS's application no later than September 15, 2017.

3. In Case No. GO-2004-0195<sup>1</sup>, on February 24, 2005, Staff filed its Energy Sellers Report ("Report") resulting from its investigation regarding "sellers" providing "energy services" as defined by Sections 393.297 - 393.302, RSMo.<sup>2</sup> At that time, based on its investigation Staff concluded that certification of sellers involving "upstream" natural gas transactions (where title to the natural gas passes before the city-gate) *is not required under the statutes* and that the evidence that "downstream" (after the city-gate) passage of title was not occurring *made certification unnecessary*.

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<sup>1</sup> *In the Matter of an Investigation into Compliance with the Required Registration of Sellers of Electricity and Gas for Use or Consumption within Missouri.*

<sup>2</sup> See also 4 CSR 240-3.285.

4. Based on the analysis and reasoning contained in the Report, on May 7, 2009, in Case No. GA-2009-0384<sup>3</sup>, Staff filed its suggestion that the application of U.S. Energy Services, Inc. for certification as a seller of energy services in the state of Missouri be dismissed, and on June 18, 2009, the Commission issued an *Order Dismissing Application* in which it stated that “Staff explains that the statute applies only to energy sellers who transfer title to gas downstream of an LDC’s city gate” and “the Commission finds [Staff’s] recommendation persuasive.”

5. According to WFS’s responses to data requests submitted by Staff in the present case, the only “energy services” WFS intends to provide in Missouri would consist of “upstream” natural gas transactions (where title to the natural gas transfers upstream of the local distribution company’s city-gate).

6. Therefore, based on (i) the Staff’s Report from Case No. GO-2004-0195; (ii) the Commission’s *Order Dismissing Application* in Case No. GA-2009-0384; (iii) and WFS’s responses to data requests in this case; the statute does not apply to the “energy services” WFS intends to provide, certification of WFS as a seller of energy services in the state of Missouri is unnecessary, and its application should be dismissed.

**WHEREFORE,** Staff submits this Recommendation pursuant to the Commission’s July 21, 2017, Order and recommends the Commission inform World Fuel Services, Inc. that it does not need to obtain certification as a seller of energy services in the state of Missouri at this time, and dismiss the application.

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<sup>3</sup> *In the Matter of the Application of U.S. Energy Services, Inc. for Certification as a Seller of Energy Services in the State of Missouri.*

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 11<sup>th</sup> day of September, 2017.

**/s/ Jeffrey A. Keevil**