

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

Greg Stiens,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2021-0395</u>
)	
The Empire District Gas Company)	
d/b/a Liberty,)	
)	
Respondent.)	

JOINT STATEMENT OF THE ISSUES AND STIPULATED FACTS

COMES NOW the Staff of the Missouri Public Service Commission (Staff), on behalf of the parties to this matter, and for the *Joint Statement of the Issues and Stipulated Facts*, hereby states:

On April 26, 2021, Greg Stiens filed a complaint against The Empire District Gas Company d/b/a Liberty, alleging that the Company sent him a notice of service being shut off despite the fact that the bill had been paid. Staff filed its *Report* on July 15, 2021. The Commission set a procedural schedule, ordering the parties to file a joint statement of the issues and stipulated facts no later than October 1, 2021. Staff takes no position in the matter, but files this on behalf of the Company and the Complainant.

Joint Statement of the Issues

1. Did Liberty violate any applicable statutes, Commission rules, or Commission-approved tariffs related to this Complaint?

Joint Statement of Stipulated Facts

2. Greg Steins is a customer of The Empire District Gas Company d/b/a Liberty.

3. Greg Steins lives at, ** [REDACTED] **. **
4. Mr. Steins' March 19, 2021 billing statement was due April 9, 2021.
5. Liberty processed Mr. Steins' payment for his March 19, 2021, billing statement on April 13, 2021.
6. Liberty generated a shut-off notice on April 12, 2021.
7. The shut-off notice has a mailing date of April 13, 2021.
8. The state code of regulation or Commission rule 20 CSR 4240-13.050(1) states that, "service may be discontinued for any of the following reasons: (A) Nonpayment of an undisputed delinquent charge;"
9. The state code of regulation or Commission rule 20 CSR 4240-13.050(5) states that, "An electric, gas, or water utility shall not discontinue residential service pursuant to section (1) unless written notice by first class mail is sent to the customer at least ten (10) days prior to the date of the proposed discontinuance."
10. Mr. Steins' gas service was never shut off.
11. Mr. Steins' was not charged a late fee or other fee related to the incident.
12. Mr. Steins' was not reported to a credit agency in relation to the incident.
13. Mr. Steins' gas billing statement for March 19, 2021, was ** [REDACTED] **. **
14. The state code of regulation or Commission rule 20 CSR 4240-13.025 states that, "This rule establishes the requirements for making billing adjustments in the event of an overcharge or an undercharge."
15. Staff did not find any violations by Liberty of any applicable statutes, Commission rules, or Commission-approved tariffs related to this Complaint.

16. Staff recommended in its *Report* that Liberty modify the language it uses in its shut-off notices, which Liberty agreed to modify.

WHEREFORE, Staff respectfully asks that the Commission accept this *Joint Statement of the Issues and Stipulated Facts*; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the *Motion* filed in this matter on October 1, 2021, was served by First Class United States Mail, postage prepaid, to all parties or by electronic mail to their representatives, pursuant to the Service List maintained by the Commission’s Data Center for this file, as identified here, on the 1st day of October, 2021.

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/s/ Whitney Payne