

In Re: The Empire District Gas Company's Request to File Tariffs

Public Hearing

February 22, 2022

Vol 2

PHIPPS REPORTING

Raising the Bar!

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing (Via WebEx)
Tuesday, February 22, 2022
12:30 p.m. - 12:45 p.m.

Governor Office Building
200 Madison Street
Jefferson City, MO 65102-0360

VOLUME 2 Pages 1 - 13

In the Matter of The Empire)
District Gas Company's)
d/b/a Liberty Request to File)File No. GR-2021-0320
Tariffs to Change its Rates for)
Natural Gas Service)

NANCY DIPPELL, Presiding
SENIOR REGULATORY LAW JUDGE

RYAN A. SILVEY, Chairman,
GLEN KOLKMEYER,
COMMISSIONERS

Stenographically Reported By:
Beverly Jean Bentch, RPR, CCR No. 640

Job No. : 231648

1 APPEARANCES:

2 On behalf of Liberty (Empire):

3 428 East Capitol Avenue, Suite 303
4 Jefferson City, MO 65101

5 BY: DIANA C. CARTER, ESQ.
6 Diana.Carter@LibertyUtilities.com

7 On behalf of the Staff of the
8 Public Service Commission:

9 Missouri Public Service Commission
10 200 Madison Street, Suite 800
11 PO Box 360
12 Jefferson City, MO 65102

13 BY: JAMIE MYERS, ESQ.
14 jamie.myers@psc.mo.gov

15 On behalf of the Office of the Public Counsel:

16 Office of the Public Counsel
17 200 Madison Street, Suite 650
18 PO Box 2230
19 Jefferson City, MO 65102

20 BY: NATHAN WILLIAMS, ESQ.
21 Nathan.Williams@ded.mo.gov

22

23

24

25

I N D E X

1		
2		Page
3	Testimony by David Cramer	8
4	Certificate of Reporter	13
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 The following proceedings began at 12:30 p.m.:

2 JUDGE DIPPELL: We can go ahead and get the
3 preliminaries out of the way. So let's go ahead then
4 and go on the record. I would like to ask everyone
5 unless you are speaking to please mute your cells to
6 prevent any noise, feedback, so forth. That will make
7 things easier for our court reporter today.

8 Today is February 22, 2022. The Missouri
9 Public Service Commission has set this time for a
10 virtual public hearing to give members of the public a
11 chance to comment about the application in File No.
12 GR-2021-0320, In the Matter of The Empire District Gas
13 Company's d/b/a Liberty Request to File Tariffs to
14 Change its Rates for Natural Gas Service.

15 The Missouri Public Service Commission
16 regulates the rates and services of investor-owned
17 public utility companies in Missouri to ensure that
18 those rates and services are just and reasonable. The
19 Commission also regulates the quality of service and
20 safety of operations of public utilities. The
21 Commission is made up of five Commissioners. The
22 Commissioners are appointed by the Governor to fixed
23 terms and confirmed by the Missouri Senate.

24 The Commissioners employ a staff of engineers,
25 accountants, attorneys, financial analysts and other

1 specialists in the field of utility regulation. My name
2 is Nancy Dippell, and I'm the regulatory law judge
3 that's presiding over this hearing.

4 On the call and online with us today is
5 Commissioner Kolkmeier, and I don't believe -- oh, I see
6 the Chairman is with us also and Chairman Silvey.

7 This is an official hearing of the Missouri
8 Public Service Commission and the statements and
9 testimony of witnesses will be recorded by the court
10 reporter and must be given under oath or affirmation.
11 The Commission has not made any decisions in this case
12 and the Commissioners and myself will not answer any
13 questions today, because we have to remain impartial
14 until after all of the evidence is in and then the
15 Commissioners will make their decision at that time.

16 I'd like to go ahead -- Well, first, are there
17 any opening remarks from the Chairman or Commissioner
18 Kolkmeier?

19 CHAIRMAN SILVEY: Thank you, Judge. I'd just
20 like to welcome everybody to the hearing. I appreciate
21 your taking time to participate in this part of the
22 process. This is the part where we get to hear directly
23 from people who are affected by our decisions. Thank
24 you for that. Thank you, Judge.

25 JUDGE DIPPELL: Thank you. Commissioner, did

1 you have anything you wanted to add?

2 COMMISSIONER KOLKMEYER: Yes. Thank you,
3 Judge. I just wanted to echo the Chairman's thought and
4 I appreciate everybody coming today and giving us your
5 thoughts on what's being proposed. I'd like to thank
6 everyone.

7 JUDGE DIPPELL: Thank you. Let's go ahead
8 then and get entries of appearance for the attorneys
9 that are present. Empire Liberty.

10 MS. CARTER: Good afternoon. This is Diana
11 Carter for The Empire District Gas Company d/b/a
12 Liberty.

13 JUDGE DIPPELL: And Commission Staff.

14 MS. MYERS: Good afternoon. This is Jamie
15 Myers on behalf of the Commission Staff.

16 JUDGE DIPPELL: And the Office of the Public
17 Counsel.

18 MR. WILLIAMS: Nathan Williams appearing on
19 behalf of the Office of the Public Counsel and the
20 public.

21 JUDGE DIPPELL: Were there any attorneys for
22 intervenors' parties that needed to make entry of
23 appearance? I'm not seeing any of those attorneys
24 present today.

25 This is the second public comment hearing in

1 this case and the final one in this process, but there
2 will be an opportunity for anyone else to continue to
3 submit comments and questions -- or comments to our
4 electronic filing system, and that information can all
5 be found at our website at www.psc.mo.gov. If you have
6 any questions, hopefully you can get them answered
7 there, but that's an opportunity to also submit written
8 comments.

9 So the way the process will happen today is
10 that I will call the name. I have one pre-registered
11 person on my list and I will call that name. If that
12 person is present, they can testify. If not, I will
13 open it up to everyone else that is on the line that
14 wishes to speak.

15 I will ask you to swear or affirm to tell the
16 truth and I will ask you to state your name and spell it
17 for the court reporter. And then you can offer your
18 comments to the Commission.

19 I'd ask that you stay on the line after your
20 remarks to see if there are any follow-up questions from
21 myself or the Commissioners or the attorneys that are
22 present. If you're on telephone only and not through
23 the WebEx, then you may have to hit *6 to unmute
24 yourself to be able to be heard in addition to unmuting
25 your phone.

1 So we'll go ahead then and start. The person
2 we had pre-registered is Andrew Dawson. Is there an
3 Andrew Dawson on the line? I'm not seeing that person.
4 So I will just go ahead then. I know there were others
5 that were wanting to speak. There was a gentleman that
6 spoke up earlier for me. Could you speak up again, sir?

7 MR. CRAMER: Yes. This is David Cramer. Can
8 you hear me?

9 JUDGE DIPPELL: I can.

10 Could you please raise your right hand if
11 you're able and do you solemnly swear or affirm that the
12 testimony you are about to give is the truth?

13 MR. CRAMER: Yes, I do.

14 JUDGE DIPPELL: All right. If you'd go ahead
15 and state your name and spell it for the court reporter,
16 please.

17 MR. CRAMER: David Cramer, D-a-v-i-d
18 C-r-a-m-e-r, Marshall, Missouri.

19 JUDGE DIPPELL: Okay. Very good. Go ahead
20 and give us your comments, sir.

21 MR. CRAMER: Okay. And I understand that this
22 hearing involves the customer charge and delivery
23 charge, and my comments were that should address the
24 purchase gas adjustment. Now, if that's not
25 appropriate, if I'm too late to address that, then I

1 have no comments about the customer charge and the
2 delivery charge.

3 I do have comments about the purchase gas
4 adjustment however.

5 JUDGE DIPPELL: It may or may not be relevant,
6 but I would suggest you just go ahead and give us your
7 comments and the Commission will have those in the
8 record and we can always determine later if it affects
9 this case.

10 MR. CRAMER: Okay. Well, I'm looking at the
11 most recent utility bill from Liberty for my natural
12 gas, and the cost of gas went from .3924 cents per cubic
13 foot and I think that was the rate that was in effect
14 prior to December 1, 2021. And the rate that went into
15 effect then is .9672 cents. According to my math,
16 that's .5748 or almost 58 cents per cubic foot increase.
17 And that is 146 percent increase in the cost of gas for
18 one month -- in one month. I figured my bill at the old
19 rate and the new rate. The new rate the bill was
20 \$250.66 for 32 days. At the old rate it would have been
21 \$140.30, which was an increase of \$110.30.

22 I got on the internet and checked with the US
23 Energy Information Administration and as of January
24 2019, and I realized that's several years ago, there was
25 an 84-year supply of natural gas which was 2.867

1 trillion cubic feet.

2 My question is, how can the Public Service
3 Commission allow 136 percent increase in cost of gas.
4 I'm on a fixed income. I received a fairly substantial
5 increase in my social security, but the increase in one
6 month's gas price almost takes all of the social
7 security increase. And I guess my question or comment
8 is how can the Public Service Commission approve such an
9 increase.

10 JUDGE DIPPELL: Well, as I said earlier, I
11 appreciate your comments. It's obvious that you have
12 done a lot of research and are very informed about the
13 different rates. I don't know if you were able to ask
14 your question earlier when there were some experts
15 available that could answer your question. As I said,
16 the Commissioners and myself really can't answer
17 questions, but I will say that you hit the nail on the
18 head when you distinguished between the PGA charge and
19 the customer charge and those rates are set in different
20 ways.

21 And in fact, the cost of the gas is not set by
22 the Commission. The cost of the gas is actually set at
23 the federal level. But I would encourage you if you
24 would like to get a better explanation of all of that to
25 maybe call the PSC. You could call our customer service

1 number which is 1-800-392-4211, someone correct me if I
2 got that wrong, and perhaps speak with one of our
3 experts that can explain those charges, but I do
4 appreciate your comments and certainly appreciate the
5 amount of research, and so forth, and how well informed
6 you are.

7 It's good to know that customers are paying
8 attention.

9 MR. CRAMER: Thank you.

10 JUDGE DIPPELL: Were there any other follow-up
11 questions for Mr. Cramer? I'm not seeing any. Again, I
12 appreciate your comments very much, Mr. Cramer, and the
13 Commissioners will all take those into consideration in
14 future decisions.

15 Is there anyone else on the line that wish to
16 give comments today? Again, if you're on just a phone,
17 in addition to unmuting your phone you'll need to hit *6
18 to unmute yourself.

19 I'm not seeing any other comments. Again, if
20 you know of someone that wasn't able to participate
21 today and would like to give additional comments, you
22 can go to our website at psc.mo.gov and there is
23 information on how to make written comments in this file
24 and you should reference File No. GR-2021-0320 if you
25 want to give written comments in this particular matter.

1 I'm not seeing any other comments. If there's
2 nothing else then before we go off the record, we can go
3 ahead and adjourn.

4 CHAIRMAN SILVEY: Thank you, Judge.

5 JUDGE SILVEY: I see nothing else. Thank you.
6 Let's go off the record.

7 (Thereupon, the proceedings concluded at 12:45
8 p.m.)

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission Public Hearing and that the transcript, pages 1 through 12, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 8th day of March, 2022.

Beverly Jean Bentch

Beverly Jean Bentch, RPR, CCR No. 640

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$110.30 9:21</p> <p>\$140.30 9:21</p> <p>\$250.66 9:20</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 9:14</p> <p>1-800-392-4211 11:1</p> <p>12:30 4:1</p> <p>12:45 12:7</p> <p>136 10:3</p> <p>146 9:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2.867 9:25</p> <p>2019 9:24</p> <p>2021 9:14</p> <p>2022 4:8</p> <p>22 4:8</p>	<hr/> <p style="text-align: center;">3</p> <hr/> <p>32 9:20</p> <p>3924 9:12</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5748 9:16</p> <p>58 9:16</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 7:23 11:17</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>84-year 9:25</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9672 9:15</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accountants 4:25</p> <p>add 6:1</p> <p>addition 7:24 11:17</p> <p>additional 11:21</p> <p>address</p>	<p>8:23,25</p> <p>adjourn 12:3</p> <p>adjustment 8:24 9:4</p> <p>Administration 9:23</p> <p>affected 5:23</p> <p>affects 9:8</p> <p>affirm 7:15 8:11</p> <p>affirmation 5:10</p> <p>afternoon 6:10,14</p> <p>ahead 4:2,3 5:16 6:7 8:1,4,14, 19 9:6 12:3</p> <p>amount 11:5</p> <p>analysts 4:25</p> <p>Andrew 8:2,3</p> <p>appearance 6:8,23</p> <p>appearing 6:18</p> <p>application 4:11</p> <p>appointed 4:22</p> <p>approve 10:8</p>	<p>attention 11:8</p> <p>attorneys 4:25 6:8,21, 23 7:21</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>began 4:1</p> <p>behalf 6:15,19</p> <p>bill 9:11,18,19</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C-R-A-M-E-R 8:18</p> <p>call 5:4 7:10,11 10:25</p> <p>Carter 6:10,11</p> <p>case 5:11 7:1 9:9</p> <p>cells 4:5</p> <p>cents 9:12,15,16</p> <p>Chairman 5:6,17,19 12:4</p> <p>Chairman's 6:3</p> <p>chance 4:11</p> <p>Change 4:14</p>
---	---	---	---

charge 8:22,23 9:1,2 10:18,19	consideration 11:13	December 9:14	employ 4:24
charges 11:3	continue 7:2	decision 5:15	encourage 10:23
checked 9:22	correct 11:1	decisions 5:11,23 11:14	Energy 9:23
comment 4:11 6:25 10:7	cost 9:12,17 10:3, 21,22	delivery 8:22 9:2	engineers 4:24
comments 7:3,8,18 8:20,23 9:1, 3,7 10:11 11:4,12,16, 19,21,23,25 12:1	Counsel 6:17,19	determine 9:8	ensure 4:17
Commission 4:9,15,19,21 5:8,11 6:13, 15 7:18 9:7 10:3,8,22	court 4:7 5:9 7:17 8:15	Diana 6:10	entries 6:8
Commissioner 5:5,17,25 6:2	Cramer 8:7,13,17,21 9:10 11:9,11, 12	Dippell 4:2 5:2,25 6:7,13,16,21 8:9,14,19 9:5 10:10 11:10	entry 6:22
Commissioners 4:21,22,24 5:12,15 7:21 10:16 11:13	cubic 9:12,16 10:1	directly 5:22	evidence 5:14
companies 4:17	customer 8:22 9:1 10:19,25	distinguished 10:18	experts 10:14 11:3
Company 6:11	customers 11:7	District 4:12 6:11	explain 11:3
Company's 4:13	<hr/> D <hr/>	<hr/> E <hr/>	explanation 10:24
concluded 12:7	D-A-V-I-D 8:17	earlier 8:6 10:10,14	<hr/> F <hr/>
confirmed 4:23	d/b/a 4:13 6:11	easier 4:7	fact 10:21
	David 8:7,17	echo 6:3	fairly 10:4
	Dawson 8:2,3	effect 9:13,15	February 4:8
	days 9:20	electronic 7:4	federal 10:23
		Empire 4:12 6:9,11	feedback 4:6
			feet 10:1
			field

5:1 figured 9:18 file 4:11,13 11:23,24 filing 7:4 final 7:1 financial 4:25 fixed 4:22 10:4 follow-up 7:20 11:10 foot 9:13,16 found 7:5 future 11:14 <hr/> G <hr/> gas 4:12,14 6:11 8:24 9:3,12, 17,25 10:3,6, 21,22 gentleman 8:5 give 4:10 8:12,20 9:6 11:16,21, 25 giving 6:4	good 6:10,14 8:19 11:7 Governor 4:22 GR-2021-0320 4:12 11:24 guess 10:7 <hr/> H <hr/> hand 8:10 happen 7:9 head 10:18 hear 5:22 8:8 heard 7:24 hearing 4:10 5:3,7,20 6:25 8:22 hit 7:23 10:17 11:17 <hr/> I <hr/> impartial 5:13 income 10:4 increase 9:16,17,21 10:3,5,7,9 information	7:4 9:23 11:23 informed 10:12 11:5 internet 9:22 intervenors' 6:22 investor-owned 4:16 involves 8:22 <hr/> J <hr/> Jamie 6:14 January 9:23 judge 4:2 5:2,19, 24,25 6:3,7, 13,16,21 8:9, 14,19 9:5 10:10 11:10 12:4,5 <hr/> K <hr/> Kolkmeyer 5:5,18 6:2 <hr/> L <hr/> late 8:25 law 5:2 level 10:23	Liberty 4:13 6:9,12 9:11 list 7:11 lot 10:12 <hr/> M <hr/> made 4:21 5:11 make 4:6 5:15 6:22 11:23 Marshall 8:18 math 9:15 matter 4:12 11:25 members 4:10 Missouri 4:8,15,17,23 5:7 8:18 month 9:18 month's 10:6 mute 4:5 Myers 6:14,15 <hr/> N <hr/> nail 10:17
--	--	--	---

Nancy 5:2	4:1 12:8	5:22 7:1,9	10:4
Nathan 6:18	part 5:21,22	proposed 6:5	recent 9:11
natural 4:14 9:11,25	participate 5:21 11:20	PSC 10:25	record 4:4 9:8 12:2, 6
needed 6:22	parties 6:22	psc.mo.gov 11:22	recorded 5:9
noise 4:6	paying 11:7	public 4:9,10,15,17, 20 5:8 6:16, 19,20,25 10:2,8	reference 11:24
number 11:1	people 5:23	purchase 8:24 9:3	regulates 4:16,19
<hr/> O <hr/>	percent 9:17 10:3	<hr/> Q <hr/>	regulation 5:1
oath 5:10	person 7:11,12 8:1,3	quality 4:19	regulatory 5:2
obvious 10:11	PGA 10:18	question 10:2,7,14,15	relevant 9:5
offer 7:17	phone 7:25 11:16,17	questions 5:13 7:3,6,20 10:17 11:11	remain 5:13
Office 6:16,19	pre-registered 7:10 8:2	<hr/> R <hr/>	remarks 5:17 7:20
official 5:7	preliminaries 4:3	raise 8:10	reporter 4:7 5:10 7:17 8:15
online 5:4	present 6:9,24 7:12, 22	rate 9:13,14,19,20	Request 4:13
open 7:13	presiding 5:3	rates 4:14,16,18 10:13,19	research 10:12 11:5
opening 5:17	prevent 4:6	realized 9:24	<hr/> S <hr/>
operations 4:20	price 10:6	reasonable 4:18	safety 4:20
opportunity 7:2,7	prior 9:14	received	security 10:5,7
<hr/> P <hr/>	proceedings 4:1 12:7		Senate 4:23
p.m.	process		

service 4:9,14,15,19 5:8 10:2,8,25	submit 7:3,7	4:7,8 5:4,13 6:4,24 7:9 11:16,21	wishes 7:14
services 4:16,18	substantial 10:4	trillion 10:1	witnesses 5:9
set 4:9 10:19,21, 22	suggest 9:6	truth 7:16 8:12	written 7:7 11:23,25
Silvey 5:6,19 12:4,5	supply 9:25	<hr/> U <hr/>	wrong 11:2
sir 8:6,20	swear 7:15 8:11	understand 8:21	www.psc.mo.gov. 7:5
social 10:5,6	system 7:4	unmute 7:23 11:18	<hr/> Y <hr/>
solemnly 8:11	<hr/> T <hr/>	unmuting 7:24 11:17	years 9:24
speak 7:14 8:5,6 11:2	takes 10:6	utilities 4:20	
speaking 4:5	taking 5:21	utility 4:17 5:1 9:11	
specialists 5:1	Tariffs 4:13	<hr/> V <hr/>	
spell 7:16 8:15	telephone 7:22	virtual 4:10	
spoke 8:6	terms 4:23	<hr/> W <hr/>	
staff 4:24 6:13,15	testify 7:12	wanted 6:1,3	
start 8:1	testimony 5:9 8:12	wanting 8:5	
state 7:16 8:15	things 4:7	ways 10:20	
statements 5:8	thought 6:3	Webex 7:23	
stay 7:19	thoughts 6:5	website 7:5 11:22	
	time 4:9 5:15,21	Williams 6:18	
	today		