

3. A question has arisen regarding the interpretation/implementation of the foregoing language from the February 21, 2018 Order. Given the purpose for which this case was opened, Staff believes this language was intended to mean the following (with Staff's clarifying language in bold type):

[2.] Summit shall quantify, track **and defer** all impacts of the Tax Cuts and Jobs Act of 2017 potentially affecting natural gas service rates from January 1, 2018 going forward **to regulatory asset or regulatory liability accounts on its Missouri regulated financial statements.**

[3.] Summit shall quantify, track **and defer the financial impact of the amortization of** its excess protected and unprotected ADIT **from January 1, 2018 going forward to regulatory asset or regulatory liability accounts on its Missouri regulated financial statements** for possible future flow back to ratepayers, and shall advise the Commission how best such flow-back may be accomplished.

4. To remove any uncertainty that may exist regarding the meaning of the foregoing language from the February 21, 2018 Order, Staff requests the Commission issue an order clarifying ordered paragraphs number 2 and number 3 of its February 21, 2018 Order as set forth above.

ALTERNATIVE REQUEST

5. Staff recognizes that on April 18, 2018, the Commission issued an *Order Scheduling Oral Argument Regarding the Issuance of Accounting Authority Orders to Address the Effect of Federal Tax Cuts* in this docket, as well as in several other dockets which were also opened to address the effect of the TCJA on utility

rates.¹ In the April 18, 2018 Order the Commission stated that the purpose of the oral argument being scheduled was “to address the question of whether the Commission should issue an accounting authority order in each of these cases to preserve any excess revenues resulting from the income tax rate changes for possible adjustment in these or future rate cases.” Therefore, in the event the Commission does not believe the language quoted in paragraph 2 above from the February 21, 2018 Order was intended to have the meaning set forth in paragraph 3 above, as an *alternative* to the Clarification, Staff respectfully requests that the Commission issue a New Order containing the language set forth in paragraph 3 above.

6. In addition, if the Commission chooses to issue a New Order, Staff recommends the Commission include the following additional language as a separate ordered paragraph:

Nothing in this order shall be considered a finding by the Commission of the value or reasonableness of the expenditures involved herein, or of the value or reasonableness for ratemaking purposes of the expenditures and property herein involved, or as acquiescence in the value placed on those expenditures and property by Summit, and the Commission reserves the right to consider the ratemaking treatment to be afforded these expenditures in any later proceeding.

¹ See File Nos. ER-2018-0226, GR-2018-0227, ER-2018-0228, GR-2018-0229, GR-2018-0230, HR-2018-0231, and HR-2018-0232.

WHEREFORE, Staff respectfully requests the Commission issue the Clarification of ordered paragraphs number 2 and number 3 of its February 21, 2018 Order as set forth in paragraph 3 hereinabove; or, in the alternative, issue a New Order containing the language set forth in paragraphs 3 and 6 hereinabove; and granting such further relief as the Commission deems just and reasonable.

Respectfully submitted,

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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 for parties of record this 27th day of September, 2018.

/s/ Jeffrey A. Keevil