BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of The Empire District Gas Company's d/b/a Liberty Request to File Tariffs to Change its Rates for Natural Gas Service

<u>Case No. GR-2021-0320</u> Tariff No. <u>YG-2022-0040</u>

PUBLIC COUNSEL'S POSITIONS ON LISTED ISSUES

- 1. Should the Commission approve the recommendations filed on behalf of the MSBA?
 - a. Should the Commission modify EDG's Aggregation, Balancing, and Cash-out Charges in this case?
 - b. Should the Commission establish a section within EDG's tariff or standalone rate schedule applicable only to special statutory provisions for School Transportation Program? If so, when should a revised tariff be submitted to the Commission?
 - c. Should the Commission adopt EDG's proposal to change current tariff language regarding Empire's passage of charges on to customers for actions or inactions of their suppliers, marketers or aggregators, or adopt MSBA's proposal to retain current tariff language until the Commission later reviews outcomes of pending federal court cases and Commission complaints and establishes parameters applicable to all Missouri Gas Corporation tariffs?
 - **OPC Position:** Public Counsel does not oppose schools using market aggregators to acquire the natural gas they use and relying on EDG for transportation service only; however, the costs of the natural gas those schools use and the costs of the gas those market aggregators acquire for them rarely, if ever, match; and through EDG's PGA/ACA EDG's non-transportation customers bear the difference—a classic case of "customer class cross-subsidization." While EDG's proposals do not resolve Public Counsel's concerns, they do not exacerbate them; whereas MSBA's proposals, which the Commission's Staff opposes, do.

Through the rebuttal testimony of its witness Tatiana Earhart EDG states:

EDG would be willing to work with Staff, MSBA and any other interested party to develop a standalone STP rate schedule that would contain best practices for the school aggregation programs of both EDG and Midstates prior to the filing of the next Midstates general rate case at the Commission.

Public Counsel would participate in such an effort.

Respectfully,

/s/ Nathan Williams

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Attorney for the Office of the Public Counsel

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of April 2022.

/s/ Nathan Williams