

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

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Public Hearing

February 17, 2022

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**PHIPPS REPORTING**

*Raising the Bar!*

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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

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TRANSCRIPT OF PROCEEDINGS

Local Public Hearing, via WebEx

Thursday, February 17, 2022

Jefferson City, Missouri

Volume 1

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

NANCY DIPPELL, Presiding  
SENIOR REGULATORY LAW JUDGE  
MAIDA J. COLEMAN,  
JASON R. HOLSMAN,  
COMMISSIONERS

REPORTED BY:  
Tracy Taylor, CCR No. 939

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A P P E A R A N C E S

DIANA C. CARTER  
428 E. Capitol Avenue, Suite 303  
Jefferson City, Missouri 65101  
573.289.1961  
Diana.Carter@LibertyUtilities.com  
FOR: The Empire District Electric Company

NATHAN WILLIAMS  
Department of Commerce & Insurance  
200 Madison Street, Suite 650  
PO Box 2230  
Jefferson City, Missouri 65102  
opcservice@opc.mo.gov  
FOR: Office of the Public Counsel

JAMIE MYERS  
Department of Economic Development  
200 Madison Street, Suite 800  
PO Box 360  
Jefferson City, Missouri 65102-0360  
staffcounsel@psc.mo.gov  
FOR: Staff of the Missouri Public Service Commission

1                   JUDGE DIPPELL: We can go ahead then and  
2 go on the record. This is File Number GR-2021-0320 in  
3 the matter of the Empire District Gas Company's --  
4 doing business as Liberty's rate request to file  
5 tariffs to change its rates for national -- natural  
6 gas. Excuse me. I'm having difficulty speaking.

7                   My name's Nancy Dippell. I'm the  
8 Regulatory Law Judge assigned to this local public  
9 hearing this evening. I would like to ask everyone,  
10 if you haven't already, to mute your devices unless  
11 you're speaking. That helps us with our audio  
12 feedback.

13                   Today's February 17, 2022 and the  
14 Missouri Public Service Commission has set this time  
15 for a virtual public hearing to give members of the  
16 public a chance to comment about the application of  
17 Liberty to change its rates.

18                   The Missouri Public Service Commission  
19 regulates the rates and services of investor-owned  
20 public utility companies in Missouri to ensure that  
21 those rates and services are just and reasonable. The  
22 Commission also regulates the quality of service and  
23 the safety operations of public utilities.

24                   The Commission's made up of five  
25 Commissioners. The Commissioners are appointed by the

1 Governor to fixed terms and confirmed by the Missouri  
2 Senate. The Commissioner's employ a staff of  
3 engineers, accountants, attorneys, financial analysts,  
4 and other specialists in the field of utility  
5 regulation.

6 Today with me, I have -- online we have  
7 Commissioner Coleman and Commissioner Holsman. The  
8 other Commissioners will be able to read the comments  
9 presented here tonight as they're being taken down by  
10 our court reporter.

11 This is an official hearing of the  
12 Missouri Public Service Commission and the statements  
13 and testimony of the witnesses will be recorded and  
14 must be given under oath or affirmation. The  
15 Commission has not made any decisions in this case and  
16 neither the Commissioners nor myself will answer any  
17 questions about the case this evening because the  
18 Commission must remain impartial until after all of  
19 the evidence is presented.

20 Would Commissioner Coleman or  
21 Commissioner Holsman, did you have anything you wanted  
22 to say before we begin?

23 COMMISSIONER COLEMAN: Only, Judge, that  
24 I appreciate those that have called in tonight or --  
25 or tuned in tonight for this hearing. We do take

1 seriously all comments that are given and we  
2 appreciate those who will be providing us with their  
3 information tonight. Thank you, Judge.

4 COMMISSIONER HOLSMAN: And Judge, this is  
5 Commissioner Holsman. I just would like to think  
6 everyone who took the time out to testify. The public  
7 comment section is a very important part of what we  
8 do.

9 And I also want to point out the  
10 flexibility of the virtual environment, given the fact  
11 that there was a snow day around the state and we are  
12 still able to meet in this forum and so I appreciate  
13 that as well. And I thank you for your role and look  
14 forward to hearing testimony.

15 JUDGE DIPPELL: Thank you. I'm going to  
16 start with the entries of appearance from our  
17 attorneys. Can we begin with Empire?

18 MS. CARTER: Good evening, Judge. This  
19 is Diana Carter for the Empire District Gas Company,  
20 doing business as Liberty.

21 JUDGE DIPPELL: Thank you. And  
22 Commission Staff?

23 MS. MYERS: Good evening all. This is  
24 Jamie Myers on behalf of the Staff of the Missouri  
25 Public Service Commission.

1 JUDGE DIPPELL: Do we have someone from  
2 the Office of Public Counsel?

3 MR. WILLIAMS: Yes, you do. Nathan  
4 Williams, Chief Deputy Public Counsel, PO Box 2230,  
5 Jefferson City, Missouri 65102 appearing on behalf of  
6 the Office of Public Counsel and the public. Thank  
7 you.

8 JUDGE DIPPELL: And are there any  
9 attorneys that would like to make their entry of  
10 appearance for the intervenors? I'm not seeing any or  
11 hearing any present this evening, so.

12 The process that we're going to follow is  
13 that I will call the name listed. We had a couple of  
14 people sign up ahead of time that said that they would  
15 like to speak, so I will call those names first. And  
16 when I call your name, if you would unmute yourself.  
17 And if you're on a phone, you may have to press \*6 to  
18 unmute.

19 But when I call your name, go ahead and  
20 unmute, I'll ask you to swear or affirm to tell the  
21 truth, I'll ask you to state and spell your name, and  
22 then you can offer your comments to the Commission. I  
23 would ask that you stay on the line after your remarks  
24 as there may be follow-up questions from myself, the  
25 Commissioners or some of the attorneys.

1                   After the -- those two folks have been  
2 called, then I'll open it up to anybody else that is  
3 on the line and we'll just take people to give  
4 comments as -- as we can.

5                   So the first name I have on the list is  
6 Glenn Shoemaker (phonetic). Is Glenn Shoemaker  
7 available? If you are muted and you're on a phone,  
8 you may have to, as well as unmuting your device,  
9 press \*6. Okay. If Mr. Shoemaker is not available or  
10 has decided he doesn't want to testify, then we'll  
11 move on. If he shows up later, he can speak up at the  
12 end and we'll get him in.

13                   So the next name I have is Dale Sassmann.

14                   MR. SASSMANN: Yes. Can you hear me now?

15                   JUDGE DIPPELL: Yes, I can. Very good.

16                   MR. SASSMANN: Okay. Thank you.

17                   JUDGE DIPPELL: Would you please raise  
18 your right hand, if you're able. And do you solemnly  
19 swear or affirm that the testimony you're about to  
20 give at this hearing will be the truth?

21                   MR. SASSMANN: Yes, ma'am.

22                   (Mr. Sassmann sworn in.)

23                   JUDGE DIPPELL: Would you please state  
24 your name and spell it for us.

25                   MR. SASSMANN: My name's Dale Sassmann.



1 That's D-a-l-e, S, as in Sam, so it's S-a-s-s-m-a-n-n.

2 JUDGE DIPPELL: Great. Okay.

3 Mr. Sassmann, go ahead and give us your comments.

4 MR. SASSMANN: Okay. Hello. My name's  
5 Dale Sassmann. I am a residential Empire Gas Company,  
6 Liberty, customer in the city of Marshall, Missouri.  
7 I thank you all for the opportunity to address the  
8 participants of this hearing.

9 Seventy-eight days ago a 248 percent  
10 natural gas rate increase went into effect for my  
11 family and other Marshall residents and others of  
12 Missouri. Today, we are discussing an Empire Gas  
13 requested additional 1.6 -- that's a \$1.60 customer  
14 charge for residential customers.

15 Now, here's my opinion. This \$1.60 alone  
16 would not be a concern, but coupled to the recent  
17 248 percent rate increase, this just adds insult to  
18 injury. But let's get back to the facts.

19 The Missouri Public Service Commission  
20 has recently approved a rate increase in the Empire  
21 Gas south system, which includes Marshall, Lexington,  
22 Sedalia, Missouri and other residential customers.  
23 This increase is effective December 1st, 2021 and is  
24 effective five years henceforth.

25 This rate increase is a 248 percent

1 increase in the cost of gas for residential customers  
2 from .304 dollars to .9672 per hundred cubic feet. So  
3 how has this rate increase affected me? In the past  
4 two months, this rate increase has already added  
5 182 dollars to my residential gas bill.

6           The 12 months immediately prior to this  
7 rate increase, my residential rate of consumption was  
8 920 cubic feet of gas and my gas bill totaled \$767.04.  
9 So assuming if I consume another 920 cubic feet and  
10 utilize that in 2022, this rate increase will increase  
11 my 12-month total \$1,324.23.

12           This is an increased gas -- a natural gas  
13 increase cost of 557 dollars a year. This is a net  
14 gas bill increase of 173 dollars -- 173 percent for  
15 me. And we can assume that similar customers are  
16 seeing similar effects. Some much, much greater than  
17 myself.

18           So as a resident of the city of Marshall,  
19 Missouri I am asking the Public Service Commission,  
20 and you, Judge, to please reject the GR-2021-0320  
21 Empire Gas Company requested increase and fixed  
22 residential customer charge.

23           Additionally, I'm asking that the Public  
24 Service Commission reexamine and -- and reduce the  
25 duration of the December 1st, 2021 ACA recovery period

1 for the Missouri south system from five years to three  
2 years. This will align the duration of the ACA  
3 recovery period in the south system to match the  
4 duration of the north and the northwest systems in  
5 Missouri.

6 My name's Dale Sassmann. Thank you for  
7 the opportunity to address this assembly.

8 JUDGE DIPPELL: Thank you, sir. Are  
9 there any questions for the -- for Mr. Sassmann from  
10 the Commissioners?

11 COMMISSIONER HOLSMAN: No questions,  
12 Judge. Thank you.

13 JUDGE DIPPELL: Thank you. I'm assuming  
14 no questions from the attorneys. If you do, just  
15 speak up; otherwise, I'll just assume that you don't  
16 have questions.

17 Okay. Thank you, Mr. Sassmann. We  
18 appreciate your testimony this evening.

19 Is there anyone else on the line that  
20 would like to testify? If so, just go ahead and  
21 unmute and speak up and I'll call on you as I can.  
22 Again, if you're on a telephone, you'll have to unmute  
23 your device and then hit \*6. Anyone else?

24 Okay. I'm not hearing anyone. I do  
25 appreciate those of you that attended. I hope you got

1 your questions answered during the question and answer  
2 session. If -- if you have additional comments or  
3 know someone who couldn't be present or would like to  
4 comment, you can make written comments by going to the  
5 PSC's web page at PSC.MO.GOV. It's helpful if you  
6 cite this case number, which is GR-2021-0320. You can  
7 also contact the Office of the Public Counsel.  
8 They're more than willing to help you.

9           And if -- there's also a further public  
10 hearing in this case at noon on Tuesday. So you can  
11 get the information for logging in and so forth for  
12 that also on our website. Is there anything further  
13 then before we go off the record?

14           MR. SASSMANN: I do have -- this is Dale  
15 Sassmann. I do have one other comment.

16           JUDGE DIPPELL: Okay, Mr. Sassmann. Go  
17 ahead.

18           MR. SASSMANN: Okay. This is Dale  
19 Sassmann. The notice that I received in the mail  
20 announcing these public hearings --

21           JUDGE DIPPELL: Yes.

22           MR. SASSMANN: -- I read this -- yes, I  
23 read this letter three or four times back and forth  
24 trying to find a phone number for this WebEx session.  
25 Perhaps the reason the attendance is very low is -- I

1 couldn't -- I can't find a phone number on here for  
2 this WebEx session. I had to go online on the  
3 PSC.MO.GOV website to find the WebEx link.

4 JUDGE DIPPELL: Okay. Thank you for that  
5 comment. We will definitely look into that and see if  
6 we can improve that. I apologize if that was  
7 difficult to -- to find the information. We do have  
8 some difficulties because we set these hearings so far  
9 in advance, with the technology. But as it turns  
10 out -- you know, it turns out to be a good thing that  
11 we have this available.

12 But we will definitely look into that and  
13 see what we can do and what -- what can we do to make  
14 that process easier for more people to participate,  
15 because we definitely want -- want that information  
16 available easily.

17 MR. SASSMANN: Yes. If you discover  
18 there is no -- no -- or no phone number on that, there  
19 may be still time to get a mailing out, you know, by  
20 the Tuesday meeting.

21 JUDGE DIPPELL: Well, I'm afraid that  
22 that is probably not possible, but certainly we can --  
23 we can see what we can do about publicizing it with  
24 media and so forth. So I appreciate your comments  
25 very much. Thank you.

1 MR. SASSMANN: Okay. I'm muting.

2 JUDGE DIPPELL: Is there anything else  
3 before we go off the record? All right. Thank you  
4 all very much for your attendance and we are  
5 adjourned. We can go off the record.

6 (Whereupon, the local public hearing was  
7 adjourned at 6:56 p.m.)

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CERTIFICATE OF REPORTER

I, Tracy Thorpe Taylor, CCR No. 939, within the State of Missouri, do hereby certify that the foregoing proceeding was duly taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



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Tracy Thorpe Taylor, CCR

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| <hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p><b>\$1,324.23</b><br/>9:11</p> <p><b>\$1.60</b><br/>8:13,15</p> <p><b>\$767.04</b><br/>9:8</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1.6</b><br/>8:13</p> <p><b>12</b><br/>9:6</p> <p><b>12-month</b><br/>9:11</p> <p><b>173</b><br/>9:14</p> <p><b>182</b><br/>9:5</p> <p><b>1st</b><br/>8:23 9:25</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2021</b><br/>8:23 9:25</p> <p><b>2022</b><br/>9:10</p> <p><b>2230</b><br/>6:4</p> <p><b>248</b><br/>8:9,17,25</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>304</b><br/>9:2</p> | <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>557</b><br/>9:13</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6</b><br/>6:17 7:9<br/>10:23</p> <p><b>65102</b><br/>6:5</p> <p><b>6:56</b><br/>13:7</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>920</b><br/>9:8,9</p> <p><b>9672</b><br/>9:2</p> <hr/> <p style="text-align: center;"><b>A</b></p> <hr/> <p><b>ACA</b><br/>9:25 10:2</p> <p><b>accountants</b><br/>4:3</p> <p><b>added</b><br/>9:4</p> <p><b>additional</b><br/>8:13 11:2</p> <p><b>Additionally</b><br/>9:23</p> <p><b>address</b><br/>8:7 10:7</p> <p><b>adds</b><br/>8:17</p> <p><b>adjourned</b></p> | <p>13:5,7</p> <p><b>advance</b><br/>12:9</p> <p><b>affected</b><br/>9:3</p> <p><b>affirm</b><br/>6:20 7:19</p> <p><b>affirmation</b><br/>4:14</p> <p><b>afraid</b><br/>12:21</p> <p><b>ahead</b><br/>6:14,19 8:3<br/>10:20 11:17</p> <p><b>align</b><br/>10:2</p> <p><b>analysts</b><br/>4:3</p> <p><b>announcing</b><br/>11:20</p> <p><b>apologize</b><br/>12:6</p> <p><b>appearance</b><br/>5:16 6:10</p> <p><b>appearing</b><br/>6:5</p> <p><b>approved</b><br/>8:20</p> <p><b>assembly</b><br/>10:7</p> <p><b>assume</b><br/>9:15 10:15</p> <p><b>assuming</b><br/>9:9 10:13</p> <p><b>attendance</b><br/>11:25 13:4</p> <p><b>attended</b></p> | <p>10:25</p> <p><b>attorneys</b><br/>4:3 5:17 6:9,<br/>25 10:14</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>back</b><br/>8:18 11:23</p> <p><b>begin</b><br/>4:22 5:17</p> <p><b>behalf</b><br/>5:24 6:5</p> <p><b>bill</b><br/>9:5,8,14</p> <p><b>Box</b><br/>6:4</p> <p><b>business</b><br/>5:20</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>call</b><br/>6:13,15,16,19<br/>10:21</p> <p><b>called</b><br/>4:24 7:2</p> <p><b>Carter</b><br/>5:18,19</p> <p><b>case</b><br/>4:15,17 11:6,<br/>10</p> <p><b>charge</b><br/>8:14 9:22</p> <p><b>Chief</b><br/>6:4</p> <p><b>cite</b><br/>11:6</p> |
|---|--|---|--|



|   |   |  |  |
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|---|---|---|--|
| 7:1<br><b>follow</b><br>6:12<br><b>follow-up</b><br>6:24<br><b>forum</b><br>5:12<br><b>forward</b><br>5:14  | <b>hearing</b><br>4:11,25 5:14<br>6:11 7:20 8:8<br>10:24 11:10<br>13:6<br><b>hearings</b><br>11:20 12:8<br><b>helpful</b><br>11:5<br><b>henceforth</b><br>8:24<br><b>hit</b><br>10:23<br><b>Holsman</b><br>4:7,21 5:4,5<br>10:11<br><b>hope</b><br>10:25<br><b>hundred</b><br>9:2 | <b>increased</b><br>9:12<br><b>information</b><br>5:3 11:11<br>12:7,15<br><b>injury</b><br>8:18<br><b>insult</b><br>8:17<br><b>intervenors</b><br>6:10                | <b>listed</b><br>6:13<br><b>local</b><br>13:6<br><b>logging</b><br>11:11<br><b>low</b><br>11:25  |
| <hr/> <b>G</b> <hr/>  |   | <hr/> <b>J</b> <hr/>  | <hr/> <b>M</b> <hr/>   |
| <b>gas</b><br>5:19 8:5,10,<br>12,21 9:1,5,<br>8,12,14,21<br><b>give</b><br>7:3,20 8:3<br><b>Glenn</b><br>7:6<br><b>good</b><br>5:18,23 7:15<br>12:10<br><b>Governor</b><br>4:1<br><b>GR-2021-0320</b><br>9:20 11:6<br><b>Great</b><br>8:2<br><b>greater</b><br>9:16 | <b>immediately</b><br>9:6<br><b>impartial</b><br>4:18<br><b>important</b><br>5:7<br><b>improve</b><br>12:6<br><b>includes</b><br>8:21<br><b>increase</b><br>8:10,17,20,<br>23,25 9:1,3,<br>4,7,10,13,14,<br>21  | <b>Jamie</b><br>5:24<br><b>Jefferson</b><br>6:5<br><b>Judge</b><br>4:23 5:3,4,<br>15,18,21 6:1,<br>8 7:15,17,23<br>8:2 9:20<br>10:8,12,13<br>11:16,21<br>12:4,21 13:2 | <b>made</b><br>4:15<br><b>mail</b><br>11:19<br><b>mailing</b><br>12:19<br><b>make</b><br>6:9 11:4<br>12:13<br><b>Marshall</b><br>8:6,11,21<br>9:18<br><b>match</b><br>10:3<br><b>media</b><br>12:24<br><b>meet</b><br>5:12<br><b>meeting</b><br>12:20<br><b>Missouri</b><br>4:1,12 5:24<br>6:5 8:6,12,<br>19,22 9:19<br>10:1,5<br><b>months</b><br>9:4,6 |
| <hr/> <b>H</b> <hr/>  | <hr/> <b>I</b> <hr/>  | <hr/> <b>L</b> <hr/>  |  |

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| <b>muting</b><br>13:1                | <b>online</b><br>4:6 12:2                 | <b>present</b><br>6:11 11:3  | <b>rate</b><br>8:10,17,20,25<br>9:3,4,7,10 |
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**y**

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**year**

9:13

**years**

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