

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

In the Matter of a Proposed Rulemaking to)
Promulgate a New Rule Regarding a Residential) Case No. AX-2023-0175
Customer Disconnection Data Reporting Rule)

LIBERTY’S COMMENTS

COME NOW The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Missouri Water) LLC, and Liberty Utilities (Midstates Natural Gas) Corp. (collectively, “Liberty”), and for their comments regarding the proposed adoption of a new service disconnection rule for electric, gas, water, and wastewater utilities, respectfully state as follows to the Missouri Public Service Commission (“Commission”):

1. In its *Finding of Necessity and Order Directing Proposed Rule 20 CSR 4240-13.075 be Filed for Publication*, issued March 29, 2023, the Commission provided that it undertook this rulemaking to ensure that “available information about customer disconnections is accurate and consistent.”

2. Liberty does not oppose adoption of a new service disconnection rule for electric, gas, water, and wastewater utilities, and Liberty understands and appreciates the goal of uniformity in the reporting of customer disconnections. Liberty notes, however, that there are significant differences among the various commodities and utilities operating in Missouri.

- a. For example, billing increments are not identical (not always in 1000 gallons) across the service areas of Liberty Utilities (Missouri Water) LLC.
- b. Many of the wastewater accounts are “dependent accounts,” meaning Liberty is not able pull and trace activity based on specific service orders.

- c. Certain data is “live,” meaning that the numbers may vary from month to month, resulting in annual numbers that are inconsistent with a total of the monthly numbers.
- d. Over the coming nine months, Liberty will be implementing a new customer information system as part of its Customer First transformation which complicates the efforts and timing to design and implement the modifications necessary for the proposed reporting.

3. Commission Rule 20 CSR 4240-2.205, acknowledging the differences among the various commodities and utilities operating in Missouri and changing conditions generally, provides that the Commission “may grant variance from or waive any rule or provision of a rule . . . upon a finding of good cause.” Liberty submits that it will be vital that the utilities are able to obtain variances/waivers from Commission Rule 13.075.

4. Additionally, Liberty requests that there be a delay between adoption of Commission Rule 13.075 and the due date for submission of the first report under proposed subsection (2) of the Rule. Once the specifics of the new rule are determined and known, the utilities will need sufficient time to determine if a variance or waiver is needed and obtain the same, as well as configure their customer information systems and test their data collection methods in order to comply with the rule provisions.

WHEREFORE, these comments are submitted by The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Missouri Water) LLC, and Liberty Utilities (Midstates Natural Gas) Corp. These Liberty utilities operating in Missouri request such relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 14th day of July, 2023, with notice of the same sent to all counsel and parties of record.

/s/ Diana C. Carter