

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 30th day of September, 2020.

In the Matter of Liberty Utilities)	<u>File No. GT-2021-0047</u>
(Midstates Natural Gas) Corp. d/b/a)	Tariff No. JG-2021-0042
Liberty Utilities (MNG) Proposed Tariff)	Tariff No. YG-2021-0050
Sheet Filing)	Tariff No. YG-2021-0080

ORDER APPROVING TARIFFS

Issue Date: September 30, 2020

Effective Date: October 1, 2020

On August 19, 2020, Liberty Utilities (Midstates Natural Gas Corp.) (Liberty) filed Tariff No. JG-2021-0042.¹ That tariff sheet was filed to change the weather station used to generate data to determine Liberty's weather normalization adjustment rate (WNAR).² The Commission's Staff (Staff) filed a motion on August 21 to suspend that tariff so that Staff could prepare an informed recommendation. The Commission granted that motion, and suspended the tariff until October 18.

On August 31, Liberty filed Tariff No. YG-2021-0050. The tariff sheets, which have an effective date of October 1, 2020, are designed to reflect the October adjustment made pursuant to Liberty's WNAR for the six month period ending September 2020. Liberty filed Tariff No. YG-2021-0050 with the understanding that the Commission would eventually approve Tariff No. JG-2021-0042. But because the Commission suspended Tariff No. JG-2021-0042 until October 18, and Tariff No. YG-2021-0050 has an effective

¹ Calendar references are to 2020.

² The Kirksville weather station closed as of February 6, so Liberty asks to use the Chillicothe weather station to gather data going forward.

date of October 1, Liberty asked for a variance from Tariff No. JG-2021-0042. That would allow Liberty to begin using the new weather station on October 1.³

On September 18, 2020, Liberty filed Tariff No. YG-2021-0080. That tariff bears an effective date of October 18, and lists Liberty's WNAR rates.

Due to Liberty filing substitute tariff sheets, and due to Staff's inability to receive the information needed to file a Recommendation, Staff requested and received extensions to file its Recommendation. On September 25, Staff filed its Recommendation, in which it recommended the Commission approve all of the above-referenced tariff sheets to be effective as of October 1. The Commission ordered that anyone wishing to respond to Staff's Recommendation do so by Noon on September 29. No party has filed such a response.

In response to a Commission order on why the Commission should approve a tariff on only one day's notice, Staff responded that Tariff No. JG-2021-0042 changes the weather station from Kirksville to Chillicothe. It also provides the adjustment factors for how data collected from the Chillicothe station are to be adjusted to mirror, as closely as possible, the data from the Kirksville station. These adjustment factors are used in calculating the rates that will become effective on October 1 in Tariff No. YG-2021-0050.

If Tariff No. JG-2021-0042 would become effective after the rate tariff sheets in Tariff No. YG-2021-0050, then harm would occur. The harm would be that approved WNAR rates would be wrongly calculated because Tariff No. JG-2021-0042 makes the

³ Once Tariff No. JG-2021-0042 goes into effect, Tariff Nos. JG-2021-0042 and YG-2021-0050 would be consistent, and Liberty would no longer need the variance.

necessary change in where and what weather station data is collected so that the new rates can be calculated and go into effect on October 1.

Further, Staff states that Tariff No. YG-2021-0080 is simply a companion tariff sheet to Tariff No. JG-2021-0042. Tariff No. YG-2021-0080 is only being revised for housekeeping purposes to continue the existing tariff language that had been on Tariff No. JG-2021-0042 so that the language on that page is not cut off but instead runs onto the next page.

Section 386.490 RSMo states “Every order or decision of the commission shall of its own force take effect and become operative thirty days after the service thereof, except as otherwise provided.” The Commission finds good cause for the order to take effect before thirty days’ notice. If the Commission does not allow all of the tariffs in the file to become effective on the same date, then Liberty’s WNAR rates will be calculated incorrectly. Such a calculation could harm Liberty, its customers, or both. Further, the Commission notes that no party has objected to Staff’s request that all of these tariffs become effective on the same date.

The Commission will approve the tariffs that allow a change in weather station, Tariff Nos. JG-2021-0042 and YG-2021-0080, to become effective on October 1. Tariff No. YG-2021-0050, which changes WNAR rates, will be allowed to go into effect by operation of law on October 1. Because all of these tariffs will be effective on October 1, the Commission will deny Liberty’s motion for variance as moot.

THE COMMISSION ORDERS THAT:

1. Tariff Nos. JG-2021-0042 and YG-2021-0080, as substituted on September 22, 2020, are approved to become effective on October 1, 2020.

2. The motion for variance is denied as moot.
3. This order shall become effective on October 1, 2020.
4. This file shall be closed on October 2, 2020.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Pridgin, Regulatory Law Judge