

*Exhibit No.:*  
*Issue:* Net Operating Losses  
*Witness:* Mark L. Oligschlaeger  
*Sponsoring Party:* MoPSC Staff  
*Type of Exhibit:* Direct Testimony  
*Case No.:* WO-2020-0190  
*Date Testimony Prepared:* May 22, 2020

**MISSOURI PUBLIC SERVICE COMMISSION**  
**FINANCIAL AND BUSINESS ANALYSIS DIVISION**

**DIRECT TESTIMONY**  
**OF**  
**MARK L. OLIGSCHLAEGER**

**MISSOURI-AMERICAN WATER COMPANY**

**CASE NO. WO-2020-0190**

*Jefferson City, Missouri*  
*May 2020*

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DIRECT TESTIMONY OF  
MARK L. OLIGSCHLAEGER  
MISSOURI-AMERICAN WATER COMPANY  
CASE NO. WO-2020-0190**

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1           A.     I have been employed by this Commission for approximately 38.5 years and  
2 have submitted testimony on ratemaking matters numerous times before the Commission.  
3 I have also been responsible for the supervision of other Commission employees in rate cases  
4 and other regulatory proceedings many times. I have received continuous training at in-house  
5 and outside seminars on technical ratemaking matters since I began my employment at the  
6 Commission.

7           **EXECUTIVE SUMMARY**

8           Q.     Please summarize your direct testimony in this proceeding.

9           A.     In this testimony, I will provide support for Staff's recommendation filed in this  
10 proceeding on May 1, 2020, regarding the proposal made by Missouri-American Water  
11 Company ("MAWC") that its Infrastructure System Replacement Surcharge ("ISRS") rate base  
12 be increased to reflect an amount representing the impact of a purported income tax  
13 "net operating loss" ("NOL") associated with ISRS plant in service additions. I will explain  
14 why Staff agrees with this proposal in the specific facts and circumstances in this proceeding.

15           I will also address Staff's proposed treatment in this case of NOL amounts that MAWC  
16 argued existed in prior ISRS proceedings.

17           Q.     Are other witnesses filing direct testimony on behalf of Staff in this case?

18           A.     Yes. Staff witnesses Ali Arabian of the Auditing Department and Matthew J.  
19 Barnes of the Water & Sewer Department are submitting direct testimony as well.

20           **TAX NORMALIZATION AND NOL CONCEPTS**

21           Q.     Please provide an overview of the concepts of income tax normalization.

22           A.     Under the Internal Revenue Service Code ("IRS Code"), a company is allowed  
23 to deduct certain costs against income at different times for tax purposes than the timing of

1 when it is allowed to reflect the same costs as a reduction to income for financial reporting  
2 purposes. The existence of these book/tax timing differences (“timing differences”) usually  
3 provide a net tax benefit to business entities, in that most timing differences serve to reduce a  
4 business entity’s taxable income levels below the level of its reported financial income. An  
5 example of a timing difference that results in significant financial benefits to companies is the  
6 ability of the companies to use “accelerated depreciation” deductions for tax purposes under  
7 the IRS Code, in contrast to the straight-line book depreciation methods companies rely upon  
8 in determining their financial income.

9 Q. How is the financial impact of tax timing differences treated for ratemaking  
10 purposes for regulated utilities?

11 A. For rate purposes, the tax benefits associated with timing differences can either  
12 be assigned to ratepayers upfront by reducing the amount of income tax expense the utility  
13 would otherwise recover from its customers (i.e., the “flow-through” method of ratemaking for  
14 income taxes), or that benefit can be retained by the utility for a period of time before being  
15 passed on to ratepayers (the “normalization” method of ratemaking for income taxes). For  
16 utility ratemaking, the concept of tax normalization is applied by collecting income tax expense  
17 amounts in rates calculated as if the particular tax deduction or treatment was not available to  
18 the utility.

19 Q. Who determines whether flow-through or normalization treatment is provided  
20 to utilities in setting rates for income taxes?

21 A. For most timing differences, that decision would be made by the utilities’  
22 regulatory commissions. However, in regard to the specific timing differences associated with  
23 use of accelerated depreciation methods for tax purposes, the IRS Code effectively mandates

1 that regulatory commissions normalize the benefits of the accelerated depreciation tax  
2 deductions in setting rates.<sup>1</sup> If the regulatory commissions do not allow for such normalization  
3 treatment, that action could result in loss of the entire accelerated depreciation deduction by the  
4 utility. The potential consequences to a utility and its customers from a finding by the IRS of  
5 a normalization violation are serious, and can usually be avoided if the regulatory commission  
6 in question takes actions to “cure” the financial impact to the utility of the violations.

7 Q. When the tax normalization approach is used in setting rates, how is the financial  
8 impact of this approach on utilities accounted for?

9 A. The portion of the income tax expense collected from customers that will be  
10 retained by the utility until later periods due to normalization treatment is charged to deferred  
11 income tax expense accounts. Because the amounts paid in by customers for deferred income  
12 tax expense represents capital paid in by ratepayers that the utilities can use for a period of time,  
13 it is appropriate to provide customers a return on this capital contribution. This is accomplished  
14 by reducing the utility’s rate base by the balance of its net collection of accumulated deferred  
15 income taxes (“ADIT”) at a point in time.

16 Q. Are deferred income taxes taken into account in ISRS rate calculations?

17 A. Yes, as required by statute. The purpose of the ISRS process is to allow for  
18 single-issue rate recovery of costs associated with certain gas and water plant infrastructure  
19 projects. Through the ISRS process, a utility is able to recover a return on qualifying plant  
20 additions outside of a general rate proceeding. However, the amount of the required return on  
21 rate base for ISRS plant additions is required to be netted against the amount of booked deferred

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<sup>1</sup> See Treasury Regulation 1.167(l)-1(h)(1)(iii).

1 income taxes associated with the ISRS additions, to recognize that customers as well as the  
2 utility have invested capital related to the plant additions.

3 Q. What is a “net operating loss?”

4 A. An NOL results when a utility does not have enough taxable income to utilize  
5 all of the tax deductions to which it would otherwise be entitled. When this situation occurs,  
6 the amount of the unused deductions is referred to as an “NOL” and is booked to a deferred tax  
7 asset account.

8 Q. Why would a utility find itself in an NOL situation?

9 A. Since the time of the financial crisis that occurred approximately ten years ago,  
10 and through the end of 2017, the IRS Code allowed business entities very generous accelerated  
11 depreciation deductions. These deductions were commonly referred to as “bonus depreciation.”  
12 Largely because of the availability of bonus depreciation tax benefits, some utilities, including  
13 MAWC, have been in NOL situations for years.

14 Q. How would NOLs be taken into account as part of tax normalization ratemaking  
15 for accelerated depreciation tax timing differences?

16 A. Utilities have argued that the rate base reduction for ADIT must be offset by  
17 amounts related to NOLs, to reflect that the companies were not able to currently use all of the  
18 tax deductions available to them and for which deferred taxes were booked. The utilities claim  
19 that failure to recognize the NOL offset for ratemaking purposes would constitute a violation  
20 of the normalization provisions of the IRS Code, by effectively passing accelerated depreciation  
21 deduction benefits on to customers prematurely.

22 Staff generally has agreed with this position in general rate proceedings.

23 Q. At this time, are utilities still able to utilize bonus depreciation deductions?

1           A.     No. Due to the provisions of the Tax Cuts and Jobs Act, utilities are not allowed  
2 to claim bonus depreciation deductions past 2017. As a consequence, to Staff’s knowledge  
3 most utilities (including MAWC) are no longer generating NOLs, but are instead using prior  
4 NOLs to offset their ongoing taxable income as allowed under the IRS Code.

5           **NET OPERATING LOSS ISSUE**

6           Q.     What is the issue in this proceeding regarding NOLs?

7           A.     MAWC has again taken the position that an NOL amount should be offset  
8 against the ADIT balance in rate base for purposes of determining ISRS rates in this case.

9           Q.     What is the relevance of NOLs to MAWC ISRS proceedings?

10          A.     In recent ISRS petitions, MAWC has claimed that an existence of an NOL  
11 amount on its books during the ISRS period, but which related in entirety to NOLs generated  
12 prior to the ISRS period, nevertheless precluded the Commission from recognizing certain  
13 income tax deductions (accelerated depreciation, repair allowance) otherwise available to  
14 MAWC in ISRS rates, due to the normalization restrictions applicable to regulated utilities in  
15 the IRS Code. Staff and The Office of the Public Counsel (“OPC”) disagreed with MAWC’s  
16 position on this issue in these cases, with Staff noting that no NOL amount was actually  
17 generated by MAWC during the ISRS periods in question that was caused by ISRS eligible  
18 plant additions. In Case Nos. WO-2018-0373 and WO-2019-0184, the Commission agreed  
19 with Staff and OPC and ordered that the full amount of the applicable accelerated depreciation  
20 and repair allowance deductions available to MAWC be reflected in ISRS rates. In Case No.  
21 WO-2019-0389, the Commission approved a *Partial Stipulation and Agreement* that also  
22 resulted in ISRS rates that did not incorporate the impact of NOLs.

1 Q. While these ISRS cases were being processed, did MAWC take any actions to  
2 ask the IRS to clarify the application of the normalization requirements in the IRS Code to the  
3 NOL amounts in Missouri ISRS proceedings?

4 A. Yes. Following issuance of the Commission's Report and Order in Case No.  
5 WO-2018-0373, MAWC made a request for a Private Letter Ruling ("PLR") with the IRS,  
6 generally inquiring whether the Commission's treatment of NOLs in setting MAWC's ISRS  
7 rates constituted a violation of the normalization restrictions contained within the Code. The  
8 PLR request was filed with the IRS on June 6, 2019.

9 Q. Did the previously mentioned Stipulation and Agreement in Case No.  
10 WO-2019-0389 take into account MAWC's PLR request?

11 A. Yes. The *Partial Stipulation and Agreement* in Case No. WO-2019-0389<sup>2</sup> stated  
12 that, in the event that the IRS would rule within the PLR in favor of MAWC's arguments  
13 regarding the disputed NOL amounts in that and prior ISRS cases, MAWC would file an  
14 application for an Accounting Authority Order ("AAO") to permit it to defer the NOL amounts  
15 at issue to be recovered in subsequent MAWC rate proceedings. However, no deferral was to  
16 take place until any decision that might affirm MAWC's position was issued by the IRS.

17 Q. What was the result of MAWC's PLR request?

18 A. The PLR was issued by the IRS in early December 2019, and filed by MAWC  
19 with the Commission on December 9, 2019. Staff has reviewed the PLR for its potential impact  
20 on this proceeding, and through its analysis concludes that within the PLR the IRS determined  
21 that the Commission's actions in reflecting a full deduction of applicable accelerated

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<sup>2</sup> While the stipulation and agreement was entered into by MAWC and Staff, as no party filed an objection to it, the Commission chose to consider it as unanimous, pursuant to Commission Rule 20 CSR 4240-2.115, and approved the agreement in its November 21, 2019, *Order Approving Partial Stipulation and Agreement and Approving Infrastructure System Replacement Surcharge*, issued in Case No. WO-2019-0389.

1 depreciation amounts without offset for an NOL amount in ISRS in prior ISRS cases did  
2 constitute a violation of the Code's normalization restrictions. However, the IRS also ruled that  
3 the Commission's treatment of reflecting a full deduction of applicable repair allowance  
4 amounts without offset by NOL amounts did not violate the normalization restrictions within  
5 the Code.

6 Q. Please explain why Staff has concluded that the IRS has supported in part  
7 MAWC's position on NOL treatment in ISRS cases within the PLR.

8 A. The fundamental disagreement in recent MAWC ISRS cases between MAWC  
9 on one side, and Staff/OPC on the other, was whether ISRS plant additions actually caused a  
10 tax loss (i.e., net operating loss) to occur due to no revenues being collected by MAWC for the  
11 plant additions until the plant could be incorporated directly into ISRS rates. MAWC argued a  
12 tax loss occurred; Staff and OPC argued it did not.

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<sup>3</sup> In particular, refer to page 7 of 23, Confidential Attachment M, third full paragraph, to *MAWC's Petition to Change its Infrastructure System Replacement Surcharge & Motion for Approval of Customer Notice* in this case.  
<sup>4</sup> *Ibid.*, page 21 of 23 of Confidential Attachment M, fourth full paragraph.

1 Q. What has been the impact of issuance of this PLR on Staff's position concerning  
2 MAWC's purported NOLs in ISRS cases?

3 A. As previously discussed, the consequences of a violation of the Code's  
4 normalization restrictions can be serious. Therefore, consistent with its understanding of the  
5 IRS' rulings in the recent PLR, Staff has removed any deduction for accelerated depreciation  
6 associated with ISRS plant additions from its calculation of MAWC's ISRS revenue  
7 requirement in this case.

8 Q. How is Staff proposing to "cure" the violations of the IRS normalization  
9 requirements that resulted prior MAWC ISRS cases?

10 A. As previously mentioned, it was stipulated in Case No. WO-2019-0389 that  
11 disputed NOL amounts from prior ISRS cases should be deferred through an AAO in the event  
12 that the IRS found in MAWC's favor. However, in this proceeding, MAWC is proposing that  
13 the amount in question (approximately \$35,000) should be immediately collected from  
14 customers in rates through an increase to the ISRS revenue requirement in this case. Because  
15 the past NOL amount to be provided to MAWC due to the PLR is relatively immaterial, Staff  
16 does not object to the Company's proposal for collecting this amount in this proceeding in lieu  
17 of deferring the amounts through an AAO.

18 Q. Please summarize your direct testimony in this proceeding.

19 A. In order to account for NOL amounts consistent with the IRS ruling within the  
20 PLR, and the corresponding impact to accumulated deferred income taxes associated with the  
21 eligible infrastructure system replacements included in MAWC's current ISRS, Staff has  
22 included MAWC's proposed NOL adjustments to the appropriate pretax revenues to be  
23 collected in this ISRS.

24 Q. Does that conclude your direct testimony?

25 A. Yes, it does.

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

In the Matter of the Petition of Missouri- )  
American Water Company for Approval to ) Case No. WO-2020-0190  
Change an Infrastructure System Replacement )  
Surcharge (ISRS) )

**AFFIDAVIT OF MARK L. OLIGSCHLAEGER**

STATE OF MISSOURI     )  
                                  )     ss.  
COUNTY OF COLE     )

**COME NOW MARK L. OLIGSCHLAEGER** and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Direct Testimony* in memorandum form; and that the same is true and correct according to his best knowledge and belief, under penalty of perjury.

Further the Affiants sayeth not.

/s/ Mark L. Oligschlaeger  
Mark L. Oligschlaeger

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
The Empire District Electric Company	ER-2019-0374	<b>Direct Report:</b> Amortization <b>Rebuttal:</b> Affiliated Transactions <b>Surrebuttal:</b> Stub Period Amortization <b>Sur-Surrebuttal:</b> Policy <b>Supplement:</b> Background of Stipulation and Agreement; Asbury AAO
Union Electric Company, d/b/a Ameren Missouri	ER-2019-0335	<b>Rebuttal:</b> Affiliate Transactions <b>Surrebuttal:</b> Affiliate Transactions
KCP&L Greater Missouri Operations Company	EC-2019-0200	<b>Cross-Rebuttal:</b> Sibley Retirement Deferral
Missouri-American Water Company	WO-2019-0184	<b>Cross-Rebuttal:</b> Infrastructure System Replacement Surcharge (ISRS)
Spire Missouri, Inc., d/b/a Spire	GU-2019-0011	<b>Rebuttal:</b> Commission Assessment AAO
The Empire District Electric Company	EA-2019-0010	<b>Rebuttal Report:</b> Economic Feasibility
Missouri-American Water Company	WO-2018-0373	<b>Direct:</b> Net Operating Loss
The Empire District Electric Company	ER-2018-0366	<b>Rebuttal:</b> Tax Reform
Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company	ER-2018-0145 and ER-2018-0146	<b>Surrebuttal:</b> Tax Cuts and Jobs Act
Union Electric Company, d/b/a Ameren Missouri	ET-2018-0132	<b>Rebuttal:</b> Accounting and Ratemaking
Empire District, a Liberty Utilities Company	EO-2018-0092	<b>Rebuttal:</b> Asbury Regulatory Asset; Affiliate Transaction Variance
Liberty Utilities (Midstates Natural Gas) Corp., d/b/a Liberty Utilities	GR-2018-0013	<b>Rebuttal:</b> Tracker Proposals <b>Surrebuttal:</b> Tracker Proposals; Pensions/OPEBs
Missouri-American Water Company	WU-2017-0351	<b>Rebuttal:</b> Property Tax AAO <b>Surrebuttal:</b> Property Tax AAO

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
Missouri-American Water Company	WR-2017-0285	<b>Direct:</b> Future Test Year <b>Rebuttal:</b> Future Test Year; New Tax Legislation <b>Surrebuttal:</b> Future Test Year; Tax Cuts and Jobs Act
Spire Missouri, Inc., d/b/a Spire (Laclede Gas Company / Missouri Gas Energy)	GR-2017-0215 and GR-2017-0216	<b>Rebuttal:</b> Tracker Proposals; Other Policy Proposals; Software Costs
Union Electric Company, d/b/a Ameren Missouri	EO-2017-0176	<b>Direct:</b> CAM Approval
Missouri Gas Energy and Laclede Gas Company	GO-2016-0332 and GO-2016-0333	<b>Rebuttal:</b> ISRS Updates; Capitalized Incentive Compensation; Hydrostatic Testing
Kansas City Power & Light Company	ER-2016-0285	<b>Rebuttal:</b> Tracker Proposals; Use of Projected Expenses; Expense Trackers in Rate Base
Laclede Gas Company and Missouri Gas Energy	GO-2016-0196 and GO-2016-0197	<b>Rebuttal:</b> ISRS True-ups
Union Electric Company, d/b/a Ameren Missouri	ER-2016-0179	<b>Rebuttal:</b> Transmission Tracker; Noranda Deferral; Regulatory Reform
KCP&L Greater Missouri Operations Company	ER-2016-0156	<b>Rebuttal:</b> Tracker Proposals; Use of Projected Expenses; Tracker Balances in Rate Base; Deferral Policy
Missouri-American Water Company	WR-2015-0301	<b>Rebuttal:</b> Environmental Coast Adjustment Mechanism; Energy Efficiency and Water Loss Reduction Deferral Mechanism Tracker
Laclede Gas Company	GO-2015-0178	<b>Direct:</b> ISRS True-ups
Kansas City Power & Light Company	EU-2015-0094	<b>Direct:</b> Accounting Order – Department of Energy Nuclear Waste Fund Fees
Union Electric Company, d/b/a Ameren Missouri (2018)	EO-2015-0055	<b>Rebuttal:</b> MEEIA Accounting Conditions
Union Electric Company, d/b/a Ameren Missouri (2015)	EO-2015-0055	<b>Rebuttal:</b> Demand-Side Investment Mechanism

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
Kansas City Power & Light Company	ER-2014-0370	<b>Rebuttal:</b> Trackers <b>Surrebuttal:</b> Trackers; Rate Case Expense
Kansas City Power & Light Company	EO-2014-0255	<b>Rebuttal:</b> Continuation of Construction Accounting
Union Electric Company, d/b/a Ameren Missouri	EC-2014-0223	<b>Rebuttal:</b> Complaint Case – Rate Levels
Kansas City Power & Light Company	EO-2014-0095	<b>Rebuttal:</b> DSIM
Union Electric Company, d/b/a Ameren Missouri	ET-2014-0085	<b>Surrebuttal:</b> RES Retail Rate Impact
Kansas City Power & Light Company & KCP&L Greater Missouri Operations Co.	EU-2014-0077	<b>Rebuttal:</b> Accounting Authority Order
Kansas City Power & Light Company	ET-2014-0071	<b>Rebuttal:</b> RES Retail Rate Impact <b>Surrebuttal:</b> RES Retail Rate Impact
KCP&L Greater Missouri Operations Company	ET-2014-0059	<b>Rebuttal:</b> RES Retail Rate Impact <b>Surrebuttal:</b> RES Retail Rate Impact
Missouri Gas Energy, A Division of Laclede Gas Company	GR-2014-0007	<b>Surrebuttal:</b> Pension Amortizations
The Empire District Electric Company	ER-2012-0345	<b>Direct (Interim):</b> Interim Rate Request <b>Rebuttal:</b> Transmission Tracker, Cost of Removal Deferred Tax Amortization; State Income Tax Flow-Through Amortization <b>Surrebuttal:</b> State Income Tax Flow-Through Amortization
KCP&L Greater Missouri Operations Company	ER-2012-0175	<b>Surrebuttal:</b> Transmission Tracker Conditions
Kansas City Power & Light Company	ER-2012-0174	<b>Rebuttal:</b> Flood Deferral of off-system sales <b>Surrebuttal:</b> Flood Deferral of off-system sales, Transmission Tracker conditions
Union Electric Company, d/b/a Ameren Missouri	ER-2012-0166	<b>Responsive:</b> Transmission Tracker
Union Electric Company, d/b/a Ameren Missouri	EO-2012-0142	<b>Rebuttal:</b> DSIM

**CASE PARTICIPATION OF  
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<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
Union Electric Company, d/b/a Ameren Missouri	EU-2012-0027	<b>Rebuttal:</b> Accounting Authority Order <b>Cross-Surrebuttal:</b> Accounting Authority Order
KCP&L Greater Missouri Operations Company	EO-2012-0009	<b>Rebuttal:</b> DSIM
Missouri Gas Energy, a Division of Southern Union	GU-2011-0392	<b>Rebuttal:</b> Lost Revenues <b>Cross-Surrebuttal:</b> Lost Revenues
Missouri-American Water Company	WR-2011-0337	<b>Surrebuttal:</b> Pension Tracker
The Empire District Electric Company	ER-2011-0004	<b>Staff Report on Cost of Service: Direct:</b> Report on Cost of Service; Overview of the Staff's Filing <b>Surrebuttal:</b> SWPA Payment, Ice Storm Amortization Rebasing, SO2 Allowances, Fuel/Purchased Power and True-up
The Empire District Electric Company	ER-2010-0130	<b>Staff Report Cost of Service: Direct:</b> Report on Cost of Service; Overview of the Staff's Filing; Regulatory Plan Amortizations; <b>Surrebuttal:</b> Regulatory Plan Amortizations
Missouri Gas Energy, a Division of Southern Union	GR-2009-0355	<b>Staff Report Cost of Service: Direct:</b> Report on Cost of Service; Overview of the Staff's Filing; <b>Rebuttal:</b> Kansas Property Taxes/AAO; Bad Debts/Tracker; FAS 106/OPEBs; Policy; <b>Surrebuttal:</b> Environmental Expense, FAS 106/OPEBs
KCP&L Greater Missouri Operations Company	EO-2008-0216	<b>Rebuttal:</b> Accounting Authority Order Request
The Empire District Electric Company	ER-2008-0093	<b>Direct:</b> Report on Cost of Service; Overview of the Staff's Filing; Regulatory Plan Amortizations <b>Rebuttal:</b> Asbury SCR; Commission Rules Tracker; Regulatory Plan Amortizations <b>Surrebuttal:</b> Fuel Adjustment Clause; ROE and Risk; Asbury SCR Project; Depreciation; Regulatory Plan Amortizations/ Commission Rules Tracker/Vegetation Management <b>Responsive:</b> Regulatory Plan Amortizations <b>True-Up Direct:</b> True-up; Gas Contract Unwinding; Regulatory Plan Amortizations
Missouri Gas Utility	GR-2008-0060	<b>Direct:</b> Report on Cost of Service; Overview of Staff's Filing

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
Laclede Gas Company	GR-2007-0208	<b>Direct:</b> Case Overview; Depreciation Expense/Depreciation Reserve; Affiliated Transactions; Regulatory Compact
Missouri Gas Energy	GR-2006-0422	<b>Rebuttal:</b> Unrecovered Cost of Service Adjustment; Policy
The Empire District Electric Company	ER-2006-0315	Fuel/Purchased Power; Regulatory Plan Amortizations; Return on Equity; True-Up
Missouri Gas Energy	GR-2004-0209	Revenue Requirement Differences; Corporate Cost Allocation Study; Policy; Load Attrition; Capital Structure
Aquila, Inc., d/b/a Aquila Networks-MPS-Electric and Aquila Networks-L&P-Electric and Steam	ER-2004-0034 and HR-2004-0024 (Consolidated)	Aries Purchased Power Agreement; Merger Savings
Laclede Gas Company	GA-2002-429	Accounting Authority Order Request
Union Electric Company	EC-2002-1	Merger Savings; Criticisms of Staff's Case; Injuries and Damages; Uncollectibles
Missouri Public Service	ER-2001-672	Purchased Power Agreement; Merger Savings/Acquisition Adjustment
Gateway Pipeline Company	GM-2001-585	Financial Statements
Ozark Telephone Company	TC-2001-402	Interim Rate Refund
The Empire District Electric Company	ER-2001-299	Prudence/State Line Construction/Capital Costs
Missouri Gas Energy	GR-2001-292	SLRP Deferrals; Y2K Deferrals; Deferred Taxes; SLRP and Y2K CSE/GSIP
KLM Telephone Company	TT-2001-120	Policy
Holway Telephone Company	TT-2001-119	Policy
Peace Valley Telephone	TT-2001-118	Policy
Ozark Telephone Company	TT-2001-117	Policy
IAMO Telephone Company	TT-2001-116	Policy
Green Hills Telephone	TT-2001-115	Policy

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<b>Company Name</b>	<b>Case Number</b>	<b>Issues</b>
UtiliCorp United & The Empire District Electric Company	EM-2000-369	Overall Recommendations
UtiliCorp United & St. Joseph Light & Power	EM-2000-292	Staff Overall Recommendations
Missouri-American Water	WM-2000-222	Conditions
Laclede Gas Company	GR-99-315 (remand)	Depreciation and Cost of Removal
United Water Missouri	WA-98-187	FAS 106 Deferrals
Western Resources & Kansas City Power & Light	EM-97-515	Regulatory Plan; Ratemaking Recommendations; Stranded Costs
Missouri Public Service	ER-97-394	Stranded/Transition Costs; Regulatory Asset Amortization; Performance Based Regulation
The Empire District Electric Company	ER-97-82	Policy
Missouri Gas Energy	GR-96-285	Riders; Savings Sharing
St. Louis County Water	WR-96-263	Future Plant
Union Electric Company	EM-96-149	Merger Savings; Transmission Policy
St. Louis County Water	WR-95-145	Policy
Western Resources & Southern Union Company	GM-94-40	Regulatory Asset Transfer
Generic Electric	EO-93-218	Preapproval
Generic Telephone	TO-92-306	Revenue Neutrality; Accounting Classification
Missouri Public Service	EO-91-358 and EO-91-360	Accounting Authority Order
Missouri-American Water Company	WR-91-211	True-up; Known and Measurable
Western Resources	GR-90-40 and GR-91-149	Take-Or-Pay Costs

**CASE PARTICIPATION OF  
MARK L. OLIGSCHLAEGER**

<u>COMPANY NAME</u>	<u>CASE NUMBER</u>
Kansas City Power and Light Company	ER-82-66
Kansas City Power and Light Company	HR-82-67
Southwestern Bell Telephone Company	TR-82-199
Missouri Public Service Company	ER-83-40
Kansas City Power and Light Company	ER-83-49
Southwestern Bell Telephone Company	TR-83-253
Kansas City Power and Light Company	EO-84-4
Kansas City Power and Light Company	ER-85-128 & EO-85-185
KPL Gas Service Company	GR-86-76
Kansas City Power and Light Company	HO-86-139
Southwestern Bell Telephone Company	TC-89-14