

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

**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        )**

**Case No. GR-2021-0320**

**MISSOURI SCHOOL BOARDS' ASSOCIATION  
STATEMENT OF POSITION**

Comes Now the Missouri School Boards' Association (hereinafter "MSBA"), by and through counsel, RSBIII, LLC, Richard S. Brownlee, III, files its Statement of Position in the above referenced matter. In support of its position, MSBA states the following:

1. Section 393.310 RSMo creates a unique statutory program that provides a natural gas transportation standard for all eligible Missouri school entities.

Specifically, since 2002 this law requires the utility tariffs of gas companies to be cost-based as applicable to:

- a. Cash out charges; and
- b. Aggregation and balancing charges.

Cost-based does not include penalty multipliers and requires cost support.

2. MSBA's proposal follows exactly as outlined by the statute by requiring schools to pay the Company exactly the market price at which the Company pays if the schools are underdelivered and receive from the Company exactly what the Company would have paid for the same market gas if the schools are overdelivered. MSBA's position is consistent with ensuring there is no harm or cross-subsidization to non-school customers. The Commission should order the Company to establish a stand-alone STP rate scheduled in this case. Since 393.310 RSMo was

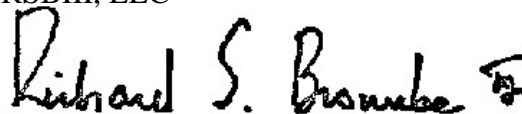
enacted in 2002, the Company is the only Missouri gas corporation that has not separately delineated specific tariff provisions applicable for STP rate schedules.

3. The Commission should require the burden of proof to be on the Company to provide cost support for proposed transportation tariff charges. The Commission should reject Staff and the Company's attempt to justify the rates based on previous rate cases rather than providing current cost support for those rates to demonstrate they are in compliance with the statute.

4. The Commission should reject the company tariff language revisions which eliminate responsibility for Marketer/Aggregators/Pool Operators to be held accountable for their actions or inactions, for transportation-related charges as these are not clarifications of who is liable and instead make only the customer liable.

5. The Commission has previously addressed these issues and other provisions requiring compliance with Section 393.310 RSMo in Cases No. GT-2003-0038, which the Commission should administratively note.

Respectfully submitted,  
RSBIII, LLC

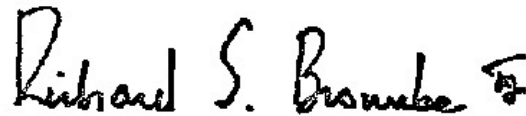
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 20<sup>th</sup> day of April, 2022.

Handwritten signature of Richard S. Brownlee III in black ink, written in a cursive style. The signature includes a small mark at the end that appears to be a stylized 'E' or a similar flourish.

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Richard S. Brownlee III, Attorney