

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

In the Matter of the Application of Summit )  
Natural Gas of Missouri, Inc. for a waiver ) Case No. \_\_\_\_\_  
from 4 CSR 240-14.020(1)(E) and (F). )

**APPLICATION FOR WAIVER**

COMES now Summit Natural Gas of Missouri, Inc. (“SNG” or the “Company”), by and through its undersigned counsel, and, in accordance with Missouri Public Service Commission (“Commission”) rules 4 CSR 240-2.060 and 14.010, for its application for a waiver from portions of the Commission’s promotional practices rules as described further below, states as follows:

**THE APPLICANT**

1. SNG is a wholly owned subsidiary of Summit Utilities, Inc., and is a corporation duly incorporated under the laws of the State of Colorado with its principal offices located at 7810 Shaffer Parkway, Suite 120, Littleton, Colorado 80127. A copy of a certificate from the Missouri Secretary of State that SNG is authorized to do business in Missouri as a foreign corporation was submitted in Case No. GA-2012-0285 and is incorporated by reference in accordance with Commission Rule 4 CSR 240-2.060(1)(G). Other than cases that have been docketed at the Commission, SNG has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three (3) years that involve customer service or rates. SNG has no annual report or assessment fees that are overdue.

2. SNG conducts business as a “gas corporation” and a “public utility” as those terms are defined at § 386.020 RSMo and provides natural gas service in the Missouri counties of Harrison, Daviess, Caldwell, Pettis, Benton, Morgan, Camden, Miller, Greene, Webster,

Laclede, Wright, Douglas, Texas, Howell, Stone, and Taney subject to the jurisdiction of the Commission as provided by law.

3. All correspondence, communications, notices, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and:

Martha Wankum  
Missouri Regulatory Manager  
Summit Natural Gas of Missouri, Inc.  
312 East Capitol Avenue  
Jefferson City, MO 65101  
Telephone: 573-635-9150  
Facsimile: 573-635-8285  
Cell: 573-317-7863  
Email: [mwankum@summitutilitiesinc.com](mailto:mwankum@summitutilitiesinc.com)

and

Michelle A. Moorman  
Manager of Regulatory Affairs  
Summit Natural Gas of Missouri, Inc.  
7810 Shaffer Parkway, Suite 120  
Littleton, CO 80127  
Telephone: 720-981-2127  
Facsimile: 720-981-2129  
Cell: 303-478-0329  
Email: [mmoorman@summitutilitiesinc.com](mailto:mmoorman@summitutilitiesinc.com)

#### **SUMMARY**

4. The Company seeks an order from the Commission granting a waiver from portions of the Commission's promotional practices rules in order to offer rebates to current and new customers, receiving service under the General Service (GS) rate schedule, who purchase and install a new high efficiency range/dryer, furnace, vent free heater, fireplace and/or water heater.

#### **WAIVER**

5. SNG desires to implement a program that may be considered a “promotional practice.”

6. Specifically, the Company would like to offer rebates to current and new customers, receiving service under the General Service (GS) rate schedule, who purchase and install a new high efficiency range/dryer, furnace, vent free heater, fireplace and/or water heater. The Company will utilize radio and newspaper advertisements and the Company blog to educate customers about the availability of rebates. Summit Natural Gas of Missouri, Inc. will independently track the costs associated with the subject rebates and reserves the right in a future rate case to request capitalization of these rebates.

7. The specific terms of the program are contained in tariff sheets P.S.C. MO No.1, Second Revised Sheet 87 and Original Sheet 88, which are attached hereto as **Appendix A**, have been filed separately this date and which have been assigned Tracking No. \_JG-2013-0302\_\_\_\_\_.

8. Commission Rule 4 CSR 240-14.020(1)(E) and (F) prohibit the provision of “free, or less than cost or value,” “wiring, piping, appliances or equipment” or “installation, operation, repair, modification or maintenance of appliances, equipment, wiring or piping.”

9. A waiver from these provisions may be granted by the Commission for good cause in accordance with Commission Rules 4 CSR 240-2.060 and Rule 4 CSR 240-14.010.

10. SNG believes that good cause exists for such a waiver. The program will encourage the connection of more customers utilizing high efficiency appliances meeting an Energy Star or comparable rating and should result in safer, more cost-saving construction and lower rates to all customers.

11. Accordingly, SNG requests a waiver from the provisions of Commission Rule 4 CSR 240-14.020(1)(E) and (F) permitting SNG to offer rebates in a substantially similar manner to the program contained in tariff sheets attached hereto as **Appendix A**.

WHEREFORE, SNG respectfully requests that the Commission grant the waiver requested herein.

Respectfully submitted,

**//S// Dean L. Cooper**

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ATTORNEYS FOR SUMMIT NATURAL GAS  
OF MISSOURI, INC.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or by U.S. Mail, postage prepaid, on December 28, 2012, to the following:

Office of the General Counsel  
Governor Office Building  
Jefferson City, MO 65101  
[gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)

Office of the Public Counsel  
Governor Office Building  
Jefferson City, MO 65101  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

**//S// Dean L. Cooper**

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AFFIDAVIT

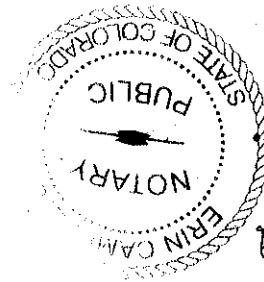
State of CO )  
County of Jefferson ) ss

I, Michelle Moorman, having been duly sworn upon my oath, state that I am the Manager of Regulatory Affairs of Summit Natural Gas of Missouri, Inc. (SNG), that I am duly authorized to make this affidavit on behalf of SNG, that the matters and things stated in the foregoing Application and Motion for Waiver are true and correct to the best of my information, knowledge and belief.



Subscribed and sworn before me this 28th day of December, 2012.

Erin Campbell  
Notary Public



Expiration 6/7/2016