

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

In the Matter of Summit Natural Gas of Missouri's)	
Filing of Revised Tariffs to Increase its Annual)	<u>Case No. GR-2014-0086</u>
Revenues for Natural Gas Service.)	YG-2017-0069

JOINT MOTION FOR APPROVAL OF TARIFF SHEETS

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), Summit Natural Gas of Missouri, Inc. ("Summit"), the Office of the Public Counsel ("OPC"), and the Missouri Department of Energy ("DE") (Collectively "the Parties"), and respectfully request that the Commission approve the appended tariff sheets contemplated by the Parties in their *Partial Stipulation and Agreement as to Energy Efficiency, Weatherization, and Other Matters* ("Stipulation and Agreement"), and approved by the Commission in GR-2014-0086. In support thereof, the Parties state:

1. On August 22, 2014, the Parties filed their Stipulation and Agreement, appended hereto as Attachment A, in part establishing the terms from which Summit would develop and operate a low-income weatherization assistance program.

2. On September 3, 2014, the Commission approved three partial stipulation and agreement filings, including the Stipulation and Agreement at issue, which order is appended hereto as Attachment B. In its order, the Commission noted that, "[e]ach partial settlement relates to *the pending tariff sheets filed by Summit Natural Gas, Inc.*"

3. While tariff sheets were filed addressing other issues contained in the Stipulation and Agreement, no such tariff sheets were filed by the Parties regarding the creation, implementation and administration of the low-income weatherization administration program in the rate case.

4. Pursuant to the terms of the Commission approved Stipulation and Agreement; Summit created and implemented a low-income weatherization program. The Parties have supervised its administration through the Advisory Committee identified in the Stipulation and Agreement.

5. The low-income weatherization program has been in operation since January 2015, and distributed \$60,000 of program funds to Community Action Agencies to serve low-income customers in Summit's service territory. As of June 2016, Summit's program has successfully distributed \$40,457.21 to twenty-eight (28) eligible projects. The remainder of the 2015 and 2016 program budget is \$19,546.80, and is accounted for and available for further distribution.

6. Section 393.140, RSMo, states, in part, that “[n]o corporation shall charge, demand, collect or receive a greater or less or different compensation *for any service rendered* or to be rendered than the rates and charges applicable to such services as specified in its schedule filed and in effect at the time[.]” (Emphasis added). Staff takes the position that the low-income weatherization assistance program is a service, as defined by Chapter 386, and it is therefore necessary that it be identified in an executed tariff sheet. Additionally, as the funds for the program are included in Summit's rates, and the recipients of said program are limited to low income eligible residential customers, a tariff sheet is necessary to set forth the conditions under which non-income eligible rate payers will be excluded from the low income assistance program funds.

7. All other Commission regulated natural gas local distribution companies identify their respective low-income weatherization assistance programs or energy

efficiency programs in their tariffs. See *Missouri Public Service Commission Gas Tariff of The Empire District Gas Company*, Mo. P.S.C. Schedule No. 2, 1st Revised Sheet No. R-51d, effective date May 12, 2013; *Laclede Gas Company Standard Rules and Regulations*, Mo. P.S.C. Schedule No. 5 Consolidate, 3rd Revised Sheet No. R-44, effective date July 8, 2013; *Laclede Gas Company d/b/a Missouri Gas Energy General Terms and Conditions for Gas Service*, Mo. P.S.C. Schedule No. 6, Sheet No. 97 – Sheet No. 106.1, effective date February 6, 2014; *Union Electric Company Gas Service d/b/a Ameren Missouri*, P.S.C. Mo. Schedule No. 2, 1st Revised Sheet No. 75 – Sheet No. 86, effective date April 8, 2012; *Missouri Public Service Commission Gas Tariff of Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities*, Mo. P.S.C. Schedule No. 2, 2nd Revised Sheet No. 115 – Sheet No. 119, effective date September 1, 2010.

8. The Parties have reviewed the tariff sheets and are of the opinion that the tariff sheets accurately articulate the program identified in the Stipulation and Agreement and approved by the Commission.

9. The Parties request an effective date of December 9, 2016. Approval of motion will expedite the inclusion of a previously agreed to, and Commission ordered, program into Summit's published tariff for the benefit of its customers and the general public. The Parties do not anticipate any negative effects from the approval of this motion. This motion has been made as soon as possible after the Parties reviewed relevant materials and reached a consensus on how to address the situation.

WHEREFORE, the Parties submit these tariff sheets for the Commission's approval, filed on November 9, 2016, to become effective December 9, 2016 (Tracking No. YG-2017-0069):

P.S.C. MO. No. 3

1st Revised Sheet No. 7 Canceling P.S.C. MO No. 3, Original Sheet No. 7

P.S.C. MO. No 3

Original Sheet No. 90

P.S.C. MO. No 3

Original Sheet No. 91

Respectfully submitted,

<p><u>/s/ Hampton Williams</u> Wm. Hampton Williams Assistant Staff Counsel Missouri Bar No. 65633 Attorney for the Staff of the Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 (573) 751-8517 (Telephone) Hampton.Williams@psc.mo.gov</p>	<p><u>/S/ Dean L. Cooper</u> Dean L. Cooper #36592 BRYDON, SWEARENGEN & ENGLAND, P.C. 312 East Capitol Avenue P.O. Box 456 Jefferson City, MO 65102 Telephone: (573) 635-7166 E-mail: dcooper@brydonlaw.com</p> <p>ATTORNEYS FOR SUMMIT NATURAL GAS OF MISSOURI, INC.</p>
<p><u>/s/ Marc D. Poston</u> Marc D. Poston (#45722) Chief Deputy Counsel P. O. Box 2230 Jefferson City MO 65102 (573) 751-5558 (573) 751-5562 FAX marc.poston@ded.mo.gov Attorney for the Office of the Public Counsel</p>	<p><u>/s/ Alexander Antal</u> Alexander Antal Associate General Counsel Missouri Bar No. 65487 Department of Economic Development P.O. Box 1157 Jefferson City, MO 65102 Phone: 573-522-3304 Fax: 573-526-7700 alexander.antal@ded.mo.gov Attorney for Missouri Division of Energy</p>

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record on this 9th day of November, 2016.

/s/ Dean L. Cooper