

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

In the Matter of a Working Case to Consider a                     )  
Proposed Residential Customer Disconnection                     )           File No. AW-2020-0148  
Data Reporting Rule   )

**COMMENTS OF UNION ELECTRIC COMPANY**  
**d/b/a AMEREN MISSOURI**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Company” or “Ameren Missouri”), and submits the following comments:

**A. Introduction**

1.       These comments are submitted in response to the Commission’s December 11, 2019 order indicating that any stakeholder who wishes to file written comments on the Office of Public Counsel's ("OPC") draft rule should do so no later than February 14, 2020.

2.       In general, the Company appreciates the opportunity to comment on OPC's proposed residential customer disconnection data reporting rule, and looks forward to attending the March 30, 2020 workshop meeting thereon.

3.       The Company would like to briefly address concerns raised by OPC with regard to alleged discrepancies in the Company’s reporting on disconnections. In support of OPC’s Motion to open this working docket, OPC expressed concern regarding “data inconsistencies” in the number of disconnections reported by investor-owned utilities.<sup>1</sup> OPC Tables 2 and 3 “compare[d] total electric and gas customer disconnects [for] the 12 month aggregated 2018 cold weather rule [“CWR”] reports against the customer disconnects listed in the utilities['] filed 2018 annual reports.”<sup>2</sup> For Ameren Missouri Electric, the cumulative disconnects reflected in the Company's 12 CWR reports totaled

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<sup>1</sup> File No. AW-2020-0148, OPC’s Motion, Appendix A, Memorandum, p. 7.

<sup>2</sup> *Id.*

220,977, while the Company reported 323,993 disconnects in its annual report. This led OPC to conclude that there was a “discrepancy” of 103,016 in Ameren Missouri’s reporting concerning electric service disconnections. Similarly, for Ameren Missouri Gas, the cumulative disconnects reflected in the Company's 12 CWR reports totaled 14,219, while disconnects totaled 38,547 in the Company's annual report, for an alleged discrepancy of 24,328 in reported disconnections. The data in these Company reports is not inconsistent; it is simply different. In the annual report form, on page 2, at line 9, the Company is providing: "the number of customer account terminations for the year for the categories[:] Voluntary, Involuntary[.]" This data includes residential and non-residential customers. In contrast, because the CWR applies only to residential customers,<sup>3</sup> the "number of customers [] disconnected at the end of the period" reported by the Company at page 2, item 1(A), of Ameren Missouri’s CWR reports, is the number of *residential* customers, only. Therefore, OPC’s Tables 2 and 3 are really comparing the grand total of residential and non-residential disconnections reflected in the Company’s annual reports, against residential customer disconnections reflected in its CWR reports, with the delta between those numbers reflecting non-residential customer disconnections.

4. The Company appreciates the interest shown by the National Consumer Law Center, the National Regulatory Research Institute, the National Association of Regulatory Utility Commissioners, and OPC, with regard to the reporting of utility disconnection and disconnection-related data. The Company recognizes that to the extent its own reporting informs stakeholders' funding and policy decisions, it is likely to impact the Company’s customers. Likewise, the Company continues to strive not only to assist struggling customers by providing them with information on resources available to assist with their utility bills and coordinating with energy assistance agencies

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<sup>3</sup> 20 CSR 4240-13.055.

to apply assistance funds to struggling customers' outstanding balances, but also to improve its bad debt write-offs for the benefit of all customers. Therefore, although the Company disagrees with OPC's suggestion that there are inconsistencies in disconnection-related data currently being reported by the Company, the Company does support ensuring that the information it provides to the Commission concerning disconnections is clear and consistent.

**B. General Comments on OPC's proposed rule**

5. OPC's proposed rule<sup>4</sup> is drafted as a freestanding rule, and not an amendment to the Cold Weather Rule, 20 CSR 4240-13.055.

6. The Company notes that some of the defined terms in OPC's proposed rule overlap with but are not entirely consistent with terms already defined in 20 CSR 4240-13.010. For example, the proposed rule creates the term "voluntarily [sic] disconnection" to refer to "the cessation of regulated utility services...that is undertaken at the request of the customer receiving service," 20 CSR 4240-XX.XXX(1)(M), while under Chapter 13 "termination of service" or "termination" is the term that describes "a cessation of service requested by a customer." 20 CSR 4240-13.010(EF). Similarly, Chapter 13 already utilizes the defined terms "payment agreement" and "settlement agreement," 20 CSR 4240-13.010(W) and (CC), and OPC's proposed rule introduces a term, "affordability payment plan" the definition of which overlaps but is not entirely consistent with those terms. The Company would urge that any unnecessary variations in terminology between Chapter 13 and the proposed rule, which might create ambiguity, be avoided or resolved, to the extent possible.

7. OPC's proposed rule identifies numerous detailed data points for which monthly reporting would be required. But, utilities providing heat-related service to residential customers are already required to report many of those same data points per 20 CSR 4240-13.055(15). For example,

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<sup>4</sup> File No. AW-2020-0148, OPC's Motion, Appendix C.

the following information is required to be reported under subsections (15)(A)(1)–(3): the number of customers disconnected at the end of the period; of those customers disconnected, how many customers had service discontinued for nonpayment during the period, and of those customers disconnected, how many customers were restored to service during the period. Similarly, OPC's proposed rule, at subsections 2(C), (E), and (G), would require reporting of: the total number of accounts that ceased receiving service at least once during the month; the total number of accounts involuntarily disconnected at least once during the month; and the total number of accounts reconnected at least once during the month. It is not clear why having the same or at least very similar information in a second monthly report would be helpful.

8. In addition, monthly CWR reports are required to be submitted by the twentieth day of the following month for the preceding month. OPC's proposed rule would require reports to be filed five days earlier — within fifteen days of the end of each month.

9. Given the similarity of information required under CWR reports and OPC's proposed rule, and the differing timeframes for submission of those reports, the Company questions whether the duplication of reporting will rectify any of the data problems allegedly identified by OPC. Furthermore, workshopping the definitions for terms used in CWR reporting may be a more useful effort.

10. If OPC's proposed rule were adopted by the Commission without significant revision, the Company estimates that the one-time cost to the Company to develop the new queries and processes that would be necessary in order to capture the data required to be reported would range from \$8,000 to \$15,000. Of course, the actual costs may vary considerably from these estimates.

### **C. Specific Comments on OPC's proposed rule**

11. 20 CSR 4240-XX.XXX(2) – Frequency of filing new report. OPC's concern seems to be that, when added together for the twelve calendar months in a year, the CWR reporting numbers do not seem to line up perfectly with annual reports submitted by the Company (and other utilities). The filing of an annual report providing cumulative annual figures of data provided in CWR monthly reports, and an explanation for any discrepancy therein, should more specifically rectify the alleged data problems. However, if the Commission desires to have a second monthly report as set out in OPC's proposed rule submitted, the timing of those reports should at least be the same as the CWR monthly reports — the twentieth day of the following month.

12. 20 CSR 4240-XX.XXX(2)(A) through (V) – Data to be provided as of the "first day of the month," "last day of the month," or "during the month." Given the number of customer accounts, for billing purposes, the Company staggers the accounts over 21 different billing cycles, none of which perfectly align with calendar months. The Company's billing system tracks billing data on this billing cycle, or “billing month” basis, rather than a calendar month basis. Thus, all data required by OPC's proposed rule could only be provided on a billing month basis (first day of the billing month, last day of the billing month, or during the billing month) without additional query logic and manual review being developed and performed.

13. 20 CSR 4240-XX.XXX(2)(F) – Notice of potential for involuntary disconnection. This information is not tracked currently. Per Chapter 13, multiple notices indicating the potential for a given involuntary disconnection may be issued—10 days prior, 96 hours prior, at least 24 hours prior, etc. Further clarification is needed, therefore, on whether it is the number of accounts for which notices of potential involuntary disconnections were issued (regardless of the number issued for a

given account), or the number of initial notices issued, or the total number of all notices of potential involuntary disconnection issued, that are to be reported.

14. 20 CSR 4240-XX.XXX(2)(K) & (L) – At least one charge delinquent. The Company does not currently track this information, so additional query logic will have to be developed.

15. 20 CSR 4240-XX.XXX(2)(M) – Delinquent charges transferred to collection agency. The Company does not place individual delinquent charges on a customer account with third-party collection agencies, but rather, places certain customer accounts (all the outstanding charges for which have become delinquent) with the collection agencies. Of the accounts placed, the Company does not track the number of distinct delinquent charges within those accounts. As such, the Company is able to provide the total number of customer *accounts* having delinquent balances that are placed with a collection agency during a billing month, but notes that it will require a manual process for gathering such information.

16. 20 CSR 4240-XX.XXX(2)(N), (O), & (P) – Delinquent charges by dollar value. The Company is able to provide the delinquent account balance by dollar value, and suggests that the term "account balance" should replace "charge" in each subsection.

17. 20 CSR 4240-XX.XXX(2)(R)&(S) – Dollar value of payments received from payors other than customer or LIHEAP. The Company is unclear what “received in accordance with any provision set forth in the utility’s tariff” and “not received in accordance with any provision set forth in the utility’s tariff” means. As to who is paying a customer’s bill, the Company can track the dollar value of pledges made on customer accounts by certain assistance groups, but those pledges may cover more than just the delinquent charges on a customer’s account. Other than such pledges (and LIHEAP funds, which are to be reported under subsection (Q) of the proposed rule), the Company has no way of determining whether it is a customer, or someone other than the customer, who is

making payments toward the customer's account (whether the payments are made toward current or delinquent charges).

WHEREFORE, the undersigned respectfully requests that the Commission take these comments under advisement.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been e-mailed to the parties of record on this 14th day of February, 2020.

/s/ Sarah E. Giboney