

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

In the Matter of the Application of Summit Natural Gas of Missouri, Inc. for a Waiver from Commission Rule 20 CSR 4240-14.020(1)(D) and 14.030(3) Relating to Promotional Practices.)))) File No. GE-2023-

**SUMMIT NATURAL GAS OF MISSOURI, INC.’S
REQUEST FOR WAIVER FROM PROMOTIONAL PRACTICES RULE
AND 60-DAY NOTICE RULE AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW Summit Natural Gas of Missouri, Inc. (“SNGMO” or “the Company”), pursuant to Commission Rules 20 CSR 4240-2.205, 20 CSR 4240-2.080(14), and 20 CSR 4240-14.010(2) and files this *Request for Waiver from Promotional Practices Rule and 60-Day Notice Rule and Motion for Expedited Treatment* to promote the use of high energy efficiency appliances through implementation of a Trade Ally Rebate (“Rebate”). In support thereof, SNGMO respectfully states as follows to the Missouri Public Service Commission (“Commission”):

APPLICANT

1. The Company is a wholly owned subsidiary of Summit LDC Holdings, LLC, which is a wholly owned subsidiary of Summit Utilities, Inc. (“Summit”). The Company is a corporation duly incorporated under the laws of the State of Colorado, with its principal offices located at 10825 E. Geddes Avenue, Suite 410, Centennial, CO 80112. A copy of a certificate from the Missouri Secretary of State showing the Company is authorized to do business in Missouri as a foreign corporation was submitted in Case No. GT-2022-0052 and is incorporated herein by reference in accordance with Commission Rule 20 CSR 4240-2.060(1)(G).

2. The Company 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 Benton, Caldwell, Camden, Daviess, Douglas, Greene, Harrison, Howell, Laclede, Miller,

Morgan, Pettis, Stone, Taney, Texas, Webster, and Wright, subject to the jurisdiction of the Commission as provided by law.

3. Other than cases that have been docketed at the Commission, SNGMO has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates.

4. The Company has no annual report or assessment fees that are overdue.

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

Goldie Bockstruck
Director, Regulatory Affairs
Summit Utilities, Inc.
10825 Geddes Ave. Suite 410
Centennial, CO 80112
Telephone : 816-730-1071
Email: gbockstruck@summitutilities.com

Rachel Smith
Regional Supervisor, Regulatory Affairs
2 DeLorme Drive, Suite 100
Yarmouth, ME 04096
Telephone: 207-233-6041
Email: rasmith@summitutilities.com

BACKGROUND

6. SNGMO's current tariff includes its Equipment Rebate Program ("ERP") Pilot (Sheet Nos. 92-95). The purpose of the ERP Pilot is to: (1) promote the installation of high efficiency natural gas equipment within SNGMO's service territories by offering rebates that are expected to be cost effective; and, (2) to perform an evaluation of the program implementation and results. (See Sheet No. 92).

7. Under the ERP Program, SNGMO provides financial incentives, in the form of a rebate, to eligible customers who purchase and install energy efficient gas boilers, furnaces, smart

thermostats and tankless water heaters. The ERP Pilot has been extended upon application in File No. GT-2022-0052 through December 31, 2024. The Commission found the pilot program should be extended because “the program benefits customers and promotes energy efficiency.”¹ Additionally, Staff recommendations found the ERP pilot program had shown increased customer participation and success since its launch in 2018.²

10. As part of the current ERP Pilot, SNGMO would like to offer a Trade Ally Rebate (“Rebate”). The Rebate would incentivize installers with a fifty-dollar (\$50) rebate for assisting eligible customers with the rebate submission process for each unit of gas equipment (furnaces, water heaters, and boilers) installed. SNGMO affiliates have utilized this inducement in other jurisdictions, which has resulted in overall higher participation rates in energy efficiency programs. The Rebate would incentivize installers of gas equipment to promote high-efficiency equipment as a viable option for customers over baseline units and encourage trade allies to be active participants and advocates in the utility energy efficient programs.

11. SNGMO has reviewed its current, Commission approved budget, and believes the impact of this additional rebate would be minimal to the Company’s overall energy efficiency budget. SNGMO calculates an increase in overall incentive spending of approximately 10%.

12. SNGMO would like to implement the Trade Ally Rebate Program on October 1, 2022 or as soon thereafter as practical, in an effort to coincide with the launch of a new rebate submission portal on October 10, 2022, across most jurisdictions for Summit subsidiaries. Summit will commence processing rebate applications through the new portal for any applications received on or after October 1, 2022. The new rebate submission portal will allow contractors to build a secure online profile, submit applications, and check the status of applications being processed.

¹ *Order Approving Application and Tariff*, p. 2, File No. GT-2022-0052 (Issued October 27, 2021).

² *Id.*

REQUEST FOR WAIVER FROM PROMOTIONAL PRACTICE RULES

13. In order to implement the Trade Ally Rebate Program, the Company requests a waiver from Commission Rules 20 CSR 4240-14.020(1)(D) and 14.030(3). 20 CSR 4240-14.020(1)(D) prohibits a public utility from “[t]he furnishing of consideration to any dealer, architect, builder, engineer, subdivider, developer or other person for the sale, installation or use of appliances or equipment.” Since the Rebate provides a monetary consideration to trade allies when high efficiency gas equipment is installed, a waiver from the aforementioned rule is required.

14. Commission Rule 20 CSR 4240-14.030 sets forth the standards governing promotional practices for which a variance is granted by the Commission. Section (3) of those standards states that “[n]o new promotional practice which has not been previously filed with the commission shall be made or offered unless first filed on a tariff with the commission.” SNGMO requests that this rule be waived until the filing of the Company’s next rate case, by which the Company would then include the program in its tariff filing if the program is still being offered at that time. The Company asserts that it has met the other standards set forth under this rule in that the Rebate is just and reasonable and of benefit to both the customer and the Company as required under Section (1) in that the promotion of the installation of energy efficient appliances offer economic, environmental and load reduction benefits. In addition, as set forth in Section (2) of the standards, the Rebate does not create an undue or unreasonable prejudice or disadvantage to any customer.

15. Commission Rule 20 CSR 4240-14.010(2) allows for variances from the promotional practice rules contained within Chapter 14 “for good cause shown.” Commission Rule 20 CSR 4240-2.205 also allows the Commission to grant a variance or waiver of any rule promulgated by the Commission upon a finding of good cause. The Rebate being offered is not designed to promote the installation of gas appliances over electric or some other fuel source, rather the Rebate is being offered to promote the installation of energy efficiency appliances by the Company’s trade allies.

Further, the Company is limiting the availability of the Rebate only to those appliances that already have gas installed. Applications for enrollment and all associated information will clearly state fuel switching installations are not eligible for a Trade Ally Rebate. For the aforementioned reasons, SNGMO contends that good cause has been shown.

16. Commission Rule 20 CSR 4240-14.010(2) also requires that a copy of applications for a variance be served on each public utility providing the same or competing utility service in the service area of the filing utility. Proof of service to those utilities will be filed in this matter as soon as feasible.

REQUEST FOR WAIVER OF NOTICE

17. Rule 20 CSR 4240-4.017(1)(D) provides that a party may request a waiver of the 60-day notice requirement set forth under 20 CSR 4240-4.017(1) for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communications with the office of the Commission within the prior 150 days regarding any substantive issue likely to be in the case. SNGMO submits that no such communication has occurred and has attached to this request a verified declaration in support. Accordingly, for good cause shown, SNGMO moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240.4.017(1) and acceptance of this Application.

MOTION FOR EXPEDITED TREATMENT

18. SNGMO moves for expedited treatment of this Application in accordance with 20 CSR 4240.2.080(14) and asks that a decision on this Application be effective by October 10, 2022 or as soon thereafter as practical. Given the impending heating season and the Company's launch of a new online Rebate submission portal, the Company submits that there is good cause to approve this application on an expedited basis. There will be no negative impact on customers or the general public if the Commission grants such relief on an expedited basis.

19. This pleading was filed as soon as it could have been following the Company's assessment of the Missouri rules, discussions of the Rebate with Staff and OPC and notice of implementation of the Rebate.

20. The Staff of the Commission and the Office of the Public Counsel have reviewed this application and confirmed they do not object.

WHEREFORE, SNGMO respectfully requests that the Commission issue an order granting the requests identified herein.

Respectfully submitted,

By:

/s/ Goldie Bockstruck

Goldie T. Bockstruck #58759

Director, Regulatory Affairs and

Regulatory Counsel

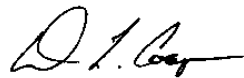
Summit Utilities Inc.

10825 Geddes Ave. Suite 410

Centennial, CO 80112

Telephone : 816-730-1071

Email: gbockstruck@summitutilities.com



Dean L. Cooper #36592

Jesse W. Craig #71850

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102

Telephone: (573) 635-7166

E-mail: dcooper@BrydonLaw.com

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 to the following counsel and this 15th day of September 2022. Copies have also been sent to each public utility providing the same or competing service in SNGMO's service territory pursuant to Commission Rule 20 CSR 4240-14.010(2).

General Counsel's Office
staffcounsel@psc.mo.gov

Office of the Public Counsel
opcservice@opc.mo.gov

By:
/s/ Goldie Bockstruck
Goldie Bockstruck
Director of Regulatory Affairs

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

In the Matter of the Application of Summit Natural)
Gas of Missouri, Inc. for a Waiver from Commission Rule)
20 CSR 4240-14.020(1)(D) and 14.030(3) Relating to) File No. GE-2023-
Promotional Practices.)

VERIFICATION AND AFFIDAVIT OF CLARK MEDLOCK

STATE OF ARKANSAS)
) SS
COUNTY OF SEBASTIAN)

Clark Medlock, of lawful age, being first duly sworn, deposes and states:

1. My name is Clark Medlock. I am the Director of Energy Efficiency Programs for Summit Utilities, Inc. My business address is 115 N. 12th St., Fort Smith, Arkansas.
2. I have read the foregoing Application and verify that it is true and correct to the best of my information, knowledge and belief. I also hereby swear and affirm that I have read the foregoing Request for Waiver, and hereby declare that, Summit Natural Gas of Missouri has had no communication with the office of the Commission, within the prior one hundred and fifty (150) days regarding any substantive issue likely to be in the above referenced case.
3. Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Clark Medlock
Clark Medlock