

Exhibit No.: _____
Issues: Class Cost of Service and Rate Design;
Gas Transportation Service Proposed Tariff Changes and
Relevant Facts;
Capital Structure and Rate of Return (ROR);
Overview of Relief Sought;
Witness: Shon Purcell
Type of Exhibit: Surrebuttal Testimony
Sponsoring Party: Symmetry Energy Solutions LLC
File No.: GR-2022-0179

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI
FILE NO. GR-2022-0179**

**SURREBUTTAL
TESTIMONY
OF
SHON PURCELL
ON BEHALF OF
SYMMETRY ENERGY SOLUTIONS, LLC**

November 4, 2022

NP

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1 **I. WITNESS BACKGROUND**

2 **Q. Please state your name and business address.**

3 A. My name is Shon Purcell. My business address is 6100 South Yale Avenue, Suite 200,
4 Tulsa, Oklahoma 74136.

5 **Q. Are you the same Shon Purcell who previously filed direct testimony in this case?**

6 A. Yes, I submitted direct testimony in this case on behalf of Symmetry Energy Solutions,
7 LLC (“Symmetry”).

8 **Q. Was this surrebuttal testimony prepared by you or under your direction?**

9 A. Yes.

10 **II. SCOPE AND PURPOSE OF SURREBUTTAL TESTIMONY**

11 **Q. What is the purpose of your surrebuttal testimony in this case?**

12 A. The purpose of my surrebuttal testimony is to respond to the rebuttal testimony of Spire’s
13 Witness Powers and Staff’s Witness Crowe, and to assist this Commission in ruling on all
14 parties’ proposed changes to Spire’s transportation tariff by highlighting what is now
15 undisputed factual evidence relevant to that tariff.

16 **Q. Please summarize your surrebuttal testimony.**

17 A. Spire’s witnesses Embry, Woodard and Weitzel originally testified that the events of
18 Winter Storm Uri – including the actions of marketers such as Symmetry during the
19 storm and afterward in refusing to acquiesce to Spire’s demand for unlawful penalties –
20 necessitate Spire’s proposed changes to its transportation tariff. However, in my direct
21 testimony, I provided this Commission with the facts (and supporting documents) that
22 prove Symmetry’s actions during Winter Storm Uri were in response to the extreme
23 conditions and environment of that storm, and that Symmetry’s decisions were made

1 based on our contractual obligations and with the intent to protect the integrity of the
2 Southern Star system, without regard to Symmetry’s bottom line. So, the changes Spire
3 now proposes to its transportation tariff would not and could not have had any impact on
4 Symmetry’s actions, as none of Spire’s proposed tariff changes can prevent the type of
5 extreme weather conditions of a Winter Storm Uri.

6 Spire’s Witness Embry did not file any rebuttal testimony. Spire’s Witnesses
7 Woodard’s and Weitzel’s rebuttal testimony does not attempt to rebut any of my
8 testimony. Instead, Spire offered only the rebuttal of Justin Powers who testified at page
9 6 and again at page 7 that “Spire does not intend to relitigate the events of Winter Storm
10 Uri in this case.” So, my direct testimony regarding the events of Winter Storm Uri –
11 including Symmetry’s actions and interactions with Spire – are largely undisputed.

12 Specifically, it is now undisputed that (1) Spire’s system did not experience any
13 integrity issues during the entirety of Winter Storm Uri; (2) Spire had sufficient Southern
14 Star in-ground storage inventory during Uri because on February 15, 2021 Spire sold
15 Symmetry, through Atmos Energy Corporation, **[REDACTED]** dekatherms of gas for
16 **[REDACTED]**; (3) on February 17, 2021, when the Platts gas daily index price was
17 over \$600, Spire was able to purchase gas for under \$100; and (4) Spire had sufficient
18 transportation capacity during Uri because on around February 17, 2021 Spire offered to
19 sell 50,000 MMBtu per day of transportation capacity to Symmetry for the balance of the
20 month of February.

21 Additionally, Staff Witness Crowe filed rebuttal related to my testimony because
22 she testified at page 2 that this Commission should “reject” all parties’ proposed changes
23 to Spire’s transportation tariff because Staff’s “review of the Company and transportation

1 customer actions during Winter Storm Uri are not complete.” However, given that no
2 witness rebutted my testimony about the facts of Winter Storm Uri, my direct and
3 surrebuttal provide the undisputed factual record of evidence upon which this
4 Commission may base its ruling denying the changes Spire proposes to its transportation
5 tariff and approving the changes Symmetry proposes to be made to Spire’s transportation
6 tariff as real solutions to the problems likely to occur if there is another storm like Winter
7 Storm Uri. (*See* Purcell Schedule SP-07 and Gifford Schedule RLG-03).

8 The remainder of my surrebuttal will respond to the few specific issues addressed
9 by Spire Witness Powers and Staff Witness Crowe in response to my direct testimony.

10 **III. CUSTOMER REMAINS RESPONSIBLE FOR UPSTREAM OFO/POC**

11 **PENALTIES**

12 **Q. In rebuttal testimony, do Staff Witness Crowe or Spire Witness Powers criticize**
13 **Symmetry’s proposal that Spire’s OFO/POC penalty formula be changed from a**
14 **multiplier of an index price to instead a fixed penalty plus incremental costs?**

15 A. Yes. At pages 5 – 6 of Staff Witness Crowe’s testimony, and at pages 3 – 4 of Spire
16 Witness Powers’ testimony, both express concern that Symmetry’s proposed changes to
17 the current OFO/POC penalty formula will result in Spire having to pay upstream
18 OFO/POC penalties without any ability to pass those penalties down to any transportation
19 customer(s) who failed to comply with OFO/POC directives.

20 **Q. Do you agree with Witness Crowe and Witness Powers that Symmetry’s proposed**
21 **changes to Spire’s OFO/POC penalty formula would leave Spire stuck with**
22 **upstream OFO/POC penalties?**

23 A. I disagree with both Witness Crowe and Witness Powers. Symmetry proposes only to

1 change the OFO/POC formula itself, not the tariff provision that identifies the party
2 responsible for payment of OFO/POC penalties. The responsibility to pay charges and
3 penalties has always rested with the natural gas customer.

4 **IV. NON-FUNCTIONAL TELEMETRY BENEFITS NO ONE**

5 **Q. Did Spire Witness Powers agree or disagree with your direct testimony regarding**
6 **the benefits of telemetry so that customers and their marketers have the same real-**
7 **time usage data that is currently available only to Spire?**

8 A. It appears that Witness Powers and I agree that enhanced telemetry is beneficial because
9 he testified at page 10 that Spire is willing to provide enhanced telemetry for all
10 transportation customers at a cost of \$1,500 per meter. However, we disagree on the
11 timeframe in which customers and their marketers like Symmetry may have the benefit of
12 the usage data that Spire already has. Witness Powers testified that the “software and
13 other programming costs” of making the telemetry functional for customers and their
14 marketers is a decision for a “future rate case.” But, if we are going to prevent problems
15 like those experienced during Winter Storm Uri, transportation customers and their
16 marketers like Symmetry need access to Spire’s real-time data about customer usage –
17 and that requires functional enhanced telemetry.

18 **V. THE CURRENT TRANSPORTATION TARIFF PROTECTS HUMAN NEEDS**
19 **CUSTOMERS**

20 **Q. Do you and Spire Witness Powers agree or disagree that human needs customers**
21 **should be protected from having gas supply interrupted or cut?**

22 A. It appears that we agree generally that gas supply should not be interrupted or cut for
23 human needs customers, but we disagree on whether or how Spire’s current tariff must be

1 changed to protect human needs customers.

2 **Q. Would you please explain?**

3 A. At page 9, Spire Witness Powers testifies that “hospitals, food processing plants, jails and
4 nursing homes” are subject to having gas supply cut off because they are transportation
5 customers without “firm upstream capacity.” That’s just not true. Under Spire’s current
6 Emergency Curtailment Plan, all of these and other human needs customers are exempted
7 from curtailment of their gas supply. As I testified on direct, Spire’s proposed Human
8 Needs Transport Program is instead designed to disincentivize a human needs customer
9 from choosing to be a transportation customer, because Spire now seeks the authority to
10 recall those customers’ capacity. So, the costs to human needs customers under Spire’s
11 proposed program will rise, and the community does not benefit.

12 **VI. CONCLUSION**

13 **Q. Does this conclude your surrebuttal testimony?**

14 A. Yes.

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

STATE OF TEXAS)
) SS
COUNTY OF HARRIS)

AFFIDAVIT OF SHON PURCELL

Shon Purcell, being first duly sworn, deposes and says that he is the witness who sponsors the accompanying surrebuttal testimony and schedules; that said testimony was prepared by him or under his direction and supervision; that if inquiries were made as to the facts in said testimony and schedules, he would respond as therein set forth; and that the aforesaid testimony and schedules are true and correct to the best of his knowledge, information, and belief.

DocuSigned by:
Shon Purcell
Shon Purcell

Subscribed and sworn to before me this 4 day of November, 2022.

Courtney Carter

Notary Public

My commission expires: 06/14/2026

