

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Blodgett Paint Ball & Fun Factory, L.L.C.)	File No. EO-2021-0163
For A Change of Electric Supplier)	

RESPONSE OF SEMO ELECTRIC COOPERATIVE
TO APPLICATION OF BLODGETT PAINT BALL & FUN FACTORY, L.L.C.

COMES NOW SEMO Electric Cooperative (“SEMO”) by and through its undersigned counsel, and for its response to the Application of Blodgett Paint Ball & Fun Factory, L.L.C (“Applicant”) for Change of Electric Supplier, respectfully states as follows:

1. SEMO is without sufficient information to confirm that Applicant’s address is 3897 State Highway H, Sikeston, Missouri 63801.
2. SEMO admits that it provides electric energy and service to the location known as 3897 State Highway H, Sikeston, Missouri 63801. SEMO asserts that it provides electric service to that general location through four separate meters, all of which are on property believed to be owned by the Members of Applicant, David and Mary Margaret Russell, and/or companies owned by them or their son, Robert Wayne Russell. As of the date of this document, three out of the four electric meters at this general location are still active. The inactive meter is the one believed to be at issue in this case. The inactive meter is in the name of “Fun Factory Live” and the membership application was signed by Robert Wayne Russell. **See Exhibit A.** The membership for this meter is not in the name of Applicant LLC, nor is it in the name of David Russell or Margaret Russell. This meter was put into a large commercial rate class when the load

exceeded 50 KW twice in twelve months in accordance with company policy.

See Exhibit B. Said rate class does include a demand component. That meter was disconnected at the request of the member on April 27, 2020.

3. SEMO admits that Applicant has requested a change of electrical supplier.
4. SEMO admits that Applicant has requested a change of supplier from SEMO to Ameren.
5. SEMO admits that Applicant has provided several reasons for the requested change of supplier, however:
 - a. SEMO denies that any efficiency is to be gained if this Application were granted. Applicant has requested the Change of Supplier as Applicant has “ownership interests in other businesses that are supplied electricity by Ameren Missouri” and “it would be more efficient for Applicant and her and her husband’s other businesses to be served by one provider.” SEMO currently provides electric service to Mr. and Mrs. Russell and their businesses through four meters located on four different structures with different addresses in this same general area, but only one of which is at issue in this case. Thus, no efficiency would be created for Applicant by moving this one meter to Ameren. SEMO is without sufficient information to take a position on the remaining allegations in Applicant’s Paragraph 5a.
 - b. SEMO denies that the monthly bills are outrageous as the rate charged is the same for all large commercial members with loads over 50 KW.

SEMO affirms that the bills attached to Applicant's Application are copies of actual bills from SEMO to Applicant.

- c. SEMO affirms that Applicant is in a rate class of a large commercial member since it has a load of over 50 KW and said rate class does have a demand component (referred to incorrectly as a "multiplier" by Applicant) to the rate. SEMO denies all other allegations in Applicant's Paragraph 5c.
- d. SEMO is without sufficient information to respond to allegations regarding how Ameren bills its customers.
- e. SEMO denies that service "is severely delayed and at times [SEMO] has been non-responsive". Outage reports for this service location for the past three years (1/1/2018 - 4/27/2020) are included in this Response and reflect infrequent and unavoidable outages beyond the control of SEMO which are consistent with industry standards. **See Exhibit C.** For the time period from January 1, 2018 until service was disconnected on April 27, 2020, there were only three outages that affected Applicant at this location. Two of those outages (7/9/2018 and 7/10/2018) were due to a single storm and one such outage (7/9/2018) was caused by the SEMO's transmission supplier losing a feeder during a storm. **See Exhibit C.** SEMO admits that Applicant disconnected electric service on this meter as of April 27, 2020 but denies there are any outrageous or disproportionate billing or delays in service work performance to

justify said disconnection request. SEMO denies all remaining allegations in Applicant's Paragraph 5e.

6. SEMO admits that Applicant has contacted SEMO to discuss Applicant's bills and that SEMO's engineers have:

- a. Met with Applicant to discuss and explain the demand component of Applicant's bills,
- b. Installed a recording volt meter (RVM) at the site and reviewed the power usage results with Applicant which showed that energy consumption on the meter at issue was due to the all-electric HVAC units being used for the large approximately 50 ft. x 400 ft. indoor facility, and
- c. Suggested Applicant consider splitting service for the large indoor facility into two separate meters to get the load below 50 KW which would then allow Applicant's meters to be put on SEMO's small commercial rate with no demand charge. **See Exhibit D.**

SEMO denies all remaining allegations in Applicant's Paragraph 6.

7. SEMO admits that electric service was disconnected on the meter at issue as of April 27, 2020 by the request of Applicant but denies there are any outrageous or disproportionate billing or delays in service work performance to justify said disconnection request.

8. SEMO opposes the Application for the following reasons:

- a. Applicant is not a proper party to apply for change of supplier at this location. Applicant is not the member responsible for energy service

charges. Robert Wayne Russell and/or Fun Factory Live are the only proper parties to bring forth an Application for a Change of Supplier.

b. Applicant has not alleged sufficient cause under Missouri statutes to support a finding that a change of supplier is in the public interest.

i. From the Application it is apparent that the cost of service is the only reason alleged for the change of supplier request and a rate differential is not an allowed cause for a change of electrical supplier under Missouri law.

ii. Applicant has not alleged that there is any specific deficiency in the electric service provided by SEMO as an energy provider. Applicant's complaint about "slow response times" are non-specific in date and time, appear to involve only Applicant's high bill complaints and not any actual service issues, and any outages at this location are minimal and are within the industry standard.

9. SEMO respectfully requests that the Application be denied and dismissed.

10. Correspondence, orders, and other communications regarding this Application should be directed to the undersigned.

Respectfully submitted,

**ANDERECK, EVANS, WIDGER,
LEWIS & FIGG L.L.C.**

By: /s/ Megan E. Ray
Megan E. Ray, # 62037
3816 S. Greystone Court, Suite B
Springfield, MO 65804
(417) 864-6401 Phone

(417) 864-4967 Facsimile

ATTORNEYS FOR SEMO
ELECTRIC COOPERATIVE

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing Petition was served by electronic mail or U.S. Mail, postage prepaid, this 6th day of January, 2021 upon the following:

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Eric Kendall Banks
Banks Law, LLC
1824 Chouteau Avenue
St. Louis, Missouri 63103
ericbanks@banksllc.com

Wendy K. Tato
1901 Chouteau Avenue
St. Louis, Missouri 63166-6149
AmerenMoService@ameren.com

Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
pscinfo@psc.mo.gov

/s/ Megan E. Ray