

**SUMMARY OF COMMENTS FOR 1/25/2010 ROUNDTABLE
WITH STAFF RESPONSE FOR 8/13/2010 ROUNDTABLE
Draft Proposed PGA/ACA Rule, 4 CSR 240-40.011
File No. GW-2010-0224**

SOURCE FOR COMMENT SUMMARIES

The comments summaries are attributed to individuals are summaries of comments made during the 1/25/2010 PGA/ACA Rulemaking Roundtable, written comments received 2/10/2010 from Missouri Energy Development Association (MEDA), and written comments received 2/10/2010 from Missouri Gas Utilities. Specific proposed edits to the rule are from MEDA, unless otherwise noted.

COLOR CODING FOR: PROPOSED CHANGES AND STATUS OF STAFF REVIEW

<u>Bold/Blue/Underline Font</u>	Proposed Additions by Commenter(s)
<u>Bold/Red/Strikethrough Font</u>	Proposed Deletions by Commenter(s)
Yellow Shading	Proposed “Clean Up” Changes and Renumbering Needed Due to Other Changes
Brown Font	Status of Staff Review for Commenter Proposed Changes

GENERAL COMMENTS REGARDING NEED FOR A RULE

There were many comments and discussion on this topic. This summary captures the highlights of the comments and discussion.

Rick Zucker, Laclede:

Questions related to PGA and what is happening in the market may be curiosity related, not legal questions. Commissioners don’t approve the PGA factor changes, but allow them to be approved by delegation.

Dean Cooper, Brydon, Swearengen & England:

Why proceeding with rule? It is a time consuming process. Would the rule change tariff requirements? If rule changes later, do tariffs have to be changed?

Mike Noack, Missouri Gas Energy (MGE):

He referred to the 2002/2003 process/roundtables that came up with 4 filings and ACA interest rates. Because of differences in LDCs PGA tariff language couldn’t have rule that applied to all. Can see need for general information for PGA filings, such as cause for increases/decreases, etc. Said PGA/ACA process not broken; believes modifications can be tweaked with tariff language.

Jim Massman, AmerenUE:

He agreed with Mike Noack's concern with a rule, and reiterated that you can't foresee all questions that may be asked in the Agenda.

Mike Cline, Laclede Gas Company (Laclede):

Much information is contained in the work papers supplied with the filing, but acknowledged work papers are not easy to follow. He noted that it is not known what will be in the minimum filing requirement rule (MFR), but a work sheet summary could be beneficial. Comparison with other LDCs is extremely difficult. There are many differences and it may be unrealistic to compare in a PGA setting.

Tim Johnston, Missouri Gas Utility (MGU):

The resource commitment for small company is approximately \$25,000. per year, which is about \$20 per customer per year and suggested an ACA review every 3 years; or a paired down list of questions/ data request that could be put in Section 8.

Written comments numbered 1-6.

The following bullet points are offered as MGU's initial proposal to mitigate resource commitment and would be woven into the proposed rule making as a mark-up for Staff consideration.

- (1) Define the eligible utilities for discretionary Staff scrutiny as customers with less than 10,000 customers in any one Rate Area. This is consistent with 4 CSR 240-3.050 Small Utility Rate Case Procedure, modified by the Rate Area distinction.
- (2) Allow each qualifying utility to apply for a waiver of an ACA review. The waiver request would be made with the annual PGA filing.
- (3) No utility would be granted a waiver for more than two consecutive ACA periods. This means that a qualifying utility would always have to be subjected to an ACA Review at least every three years.
- (4) Support for the waiver would be filed with the waiver request. The waiver support document would demonstrate that the utility's gas purchase behavior during the ACA period was reasonable based on the market conditions as they existed when purchase decisions were being made and that the ACA balance was within some agreed-upon limits, say plus or minus 20% of the total costs incurred during the ACA period.
- (5) A Company officer would attest to the validity of the data.
- (6) Staff opposition to the waiver request would trigger a normal ACA Review.

Russ Mitten, Brydon, Swearingen & England:

How closely does Staff intend to tailor PGA/ACA rule to FAC rule? In electric FAC rule can only change FAC factors in a general rate case.

Victor Edwards, Atmos Energy:

Question regarding history behind up to 4 PGA filings in a year.

Warren Wood, Missouri Energy Development Association (MEDA):

Requested process to track changes for comments made.

MEDA's member utilities are hopeful that this rulemaking does not make the PGA/ACA process significantly more complicated or slow the ability of utilities to adjust their PGA rates when rapid increases or decreases in the market price of natural gas require that customer rates be adjusted quickly to avoid large over- or under-recoveries that will result in unnecessarily large changes in rates later. Also, inasmuch as MEDA can appreciate Staff's need for individual LDCs to prepare a more useful summary of the major components of gas cost to enable the Staff to be able to better respond to Commissioners' questions with respect to a particular LDC's PGA change, to the extent the Staff's additional information requirements are driven by Staff's expectations that it should be able to explain to the Commission why one LDC's PGA is higher or lower than that of another LDC, MEDA suggests that individual PGA proceedings, which by their very nature necessitate expeditious and timely processing, are not the correct forum to perform such an analysis.

Tom Imhoff, PSC Staff:

He acknowledged the work papers are received but he needs a summary. He gave an example of Commissioners' questions related to a different PGA factor for LDCs on the same pipeline.

Lera Shemwell, PSC Staff Counsel:

She agreed with Tom Imhoff that a summary is needed. Regarding questions about rule versus tariff, she responded that rules trump tariffs (per MGE case). Doesn't believe rule would require significant changes to tariff. Staff also looked at FAC rule when developing this draft.

Dave Sommerer, PSC Staff:

Regarding whether rule would require changes to tariff, he responded PGA tariffs among LDCs have very unique provisions established in various general rate case proceedings.

Natelle Dietrich, PSC Staff:

Commissioners ask questions and Staff are expected to answer in Agenda.

COMMENTS REGARDING DRAFT OF 4 CSR 240-40.011

Purpose:

4 CSR 240-40.011 Purchased Gas Adjustment / Actual Cost Adjustment Recovery Process.
PURPOSE: This rule sets forth the definitions, structure, operations, and procedures relevant to the filing and processing of changes to reflect gas costs through an interim Purchased Gas Adjustment and the Actual Cost Adjustment process to audit and reconcile for prudently incurred gas cost.

Status: See proposed revision.

Section (1) Definitions and Proposed Edits from Commenters:

(1) Definitions. As used in this rule and in rule 4 CSR 240-3.242, the following terms mean as follows:

(A) Gas Corporation means every entity defined as a gas corporation in section 386.020.(18), RSMo, which is subject to commission regulation pursuant to Chapters 386 and 393, RSMo.

(B) Local Distribution Company (LDC or Company) means the regulated gas corporation defined in (A) above.

(C) Commission means the Missouri Public Service Commission (Commission).

(D) Staff means the staff of the Missouri Public Service Commission.

(E) Purchased Gas Adjustment/ Actual Cost Adjustment Clause (PGA/ACA) means a two-phase ~~the~~ process, which in the first phase (PGA) established in a general rate case that allows LDCs to make periodic rate adjustments outside of a general rate proceeding used for the recovery recover its established Gas Costs, and which in the second phase (ACA) involves an audit and ~~from consumers of prudently incurred gas costs and the~~ true-up process to determine the actual ~~prudently incurred gas costs.~~ Gas Costs incurred and whether any of the Gas Costs were not incurred prudently.

Status: See proposed revision.

(F) Actual Cost Adjustment (ACA) means the process used for a true-up (reconciliation) of Gas Costs billed or incurred, as the case may be, LDC revenues billed through the PGA Factor during the ACA Period to the actual prudently incurred cost of gas, including carrying costs.

Status: See proposed revision. Also see definition of gas costs.

(G) PGA Factor means a ~~customer~~ charge expressed as either \$/Ccf, or \$/Therm to reflect the LDC's current estimate of ~~the cost of natural gas services purchased~~ Gas Costs to be incurred by the ~~e~~Company.

Status: See proposed revision.

(H) ACA Factor means an adjustment to customers' bills expressed as \$/Ccf, or \$/Therm to reflect the LDC's reconciliation of estimated Gas Costs to prudently incurred actual ~~gas costs~~ Gas Costs.

Status: Changes have been made.

(I) True-up ACA Period or ACA Period means the period under consideration for each PGA/ACA case, and is generally one year in length.

Status: See proposed revision.

(J) General rate proceeding means a general rate increase or decrease proceeding or complaint proceeding before the commission in which all relevant factors that may affect the costs, or rates and charges of the gas utility other than those included in the ACA/PGA process are considered by the ~~e~~Commission.

~~(K) FERC means the Federal Energy Regulatory Commission.~~

Status: Change has been made.

~~(KL)~~ Gas Costs means gas-related costs, and include but are not limited to gas supply commodity charges, pipeline transportation costs, and contract and other storage charges, gas inventory carrying costs and other applicable carrying costs, property tax on stored inventory, and financial instrument costs associated with mitigating price volatility in the Company's gas supply portfolio.

The Company shall specify the account in which each of these gas costs is recorded and shall request Commission approval before adding a Gas Cost that is not covered by its tariff. ~~such recording shall be consistent with the Uniform System of Accounts as prescribed by the FERC consistent with 4 CSR 240-40.040. All costs which are not gas supply commodity, pipeline transportation and contract storage, or financial instrument price volatility mitigation for which the Company is requesting recovery through the PGA/ACA process shall be identified and recorded in its own separate subaccount with sufficient details to justify it as a gas cost.~~

Status: See proposed revision.

~~(M) Document or Documentation means and includes, publications in any format, workpapers, exhibits, schedules, letters, memoranda, notes, reports, analyses, computer analyses, test results, studies or data, charts, maps, recordings, transcriptions and printed, typed, electronic or written materials of every kind in the LDC's possession, custody, or control or within the LDC's knowledge.~~

Status: No change proposed at this time.

Suggested MGU edits:

(N) A Small LDC is any LDC serving ten thousand (10,000) or fewer customers in any one Rate Area. A Rate Area is defined as a discrete partition of the LDC for which a separate ACA factor is calculated.

Status: See status regarding other MGU proposal that references this definition.

Included the following for reference only:

A small utility is defined by 4 CSR 240-3.050, Small Utility Rate Case Procedure

(1) Notwithstanding the provisions of any other commission rule to the contrary, a gas utility serving ten thousand (10,000) or fewer customers, a water or sewer utility serving eight thousand (8,000) or fewer customers, or a steam heat utility serving fewer than one hundred (100) customers shall be considered a small utility under this rule.

(2) A small utility may initiate a rate case by filing a letter requesting an increase in its overall annual operating revenues with the secretary of the commission. A utility filing such a request shall specify the amount of the revenue increase that it is seeking, but shall not submit any proposed tariff revisions with the request. A utility that provides service in multiple, non-interconnected service areas or that provides more than one kind of utility service may only submit a company-wide request applicable to all of its services in all of its service areas.

Comments Regarding Section (1)

Victor Edwards, Atmos Energy:

Questioned “Actual Cost Adjustment process for prudently incurred gas cost” in Purpose statement and reference to “prudently incurred actual gas costs” in Section (1)(H). He commented that he assumed Staff was not creating new procedure/process to test prudence of gas costs. He questioned whether Staff was keeping the current ACA process.

Lera Shemwell, PSC Staff Counsel:

She responded that it wouldn't change anything in the ACA process or Staff ACA reviews.

Tim Johnston, MGU:

He suggested adding a definition for Small Company, the same definition as in a general rate case. In the written response he suggested the wording above.

Dean Cooper, Brydon, Swearingen & England:

Suggested revision to Section (1)(E). Wouldn't need to wait for a general rate case to establish a PGA/ACA e.g. MGU established a PGA when started in MO.

Warren Wood, MEDA:

For Section (1)(L) suggested “includes but not limited to” and suggested addition of a concept definition of what gas costs is meant to cover.

Written comments numbered 1-4.

1) The draft rule refers to a ‘general rate case’ in several places where a rate case is not currently required and it would not be appropriate or necessary to require a general rate case for these actions in the future (sections (1)(E) and (2)).

2) Changes to the definition of PGA/ACA factor to better explain the bifurcated nature of the PGA estimates and the ACA reconciliation.

3) Definition (1)(L) is overly restrictive in that several current “gas costs” would not fit under the proposed definition. The language should be expanded as shown in the attached mark-up.

4) The definition of “Document” and “Documentation” made Sections 5(A) and 8(A)(5) unreasonable. Those sections both worked better with the commonly understood use of the term “documentation,” rather than the broad definition.

Status: See comments for each definition.

Section (2) and Proposed Edits from Commenters:

(2) The PGA/ACA Clause is ~~effective for each LDC available~~, upon Commission approval of ~~the an~~ LDC’s applicable tariff provisions ~~in a general rate case, to each LDC as defined above. Only~~ Except for Gas Costs deemed not to be prudently incurred ~~gas costs~~ Gas Costs incurred by LDCs are recoverable in customer rates through this process. No rate, factor, or charge shall be billed, changed or modified unless specifically approved and ordered by this Commission. Commission approval of the LDC’s proposed factors does not represent pre-approval of costs recovered through these factors.

Status: Changes have been made for comments on the first sentence. See proposed revision for remainder of this section.

Comments Regarding Section (2)

Warren Wood, MEDA:

Written comment number (1).

1) The draft rule refers to a ‘general rate case’ in several places where a rate case is not currently required and it would not be appropriate or necessary to require a general rate case for these actions in the future (sections (1)(E) and (2)).

Status: See comments for section (2), above.

Section (3) and Proposed Edits from Commenters:

~~(3) The PGA/ACA process permits periodic rate adjustments during the ACA period outside a general rate proceeding.~~

Status: Change has been made.

Comments Regarding Section (3)

Russ Mitten, Brydon, Swearngen & England:

Use of the term “process” or “clause” needs to be consistent throughout the rule.

Status: Definition added for PGA Clause. See proposed revisions in rule to address this comment.

Warren Wood, MEDA:

Suggested coordinate Section (3) and Section (5).

Written comment number (5)

Sections (3) and (4) seemed to be duplicative of their respective definitions.

Status: See comments for sections (3) and (4).

Section (4) and Proposed Edits from Commenters:

~~(4) The PGA/ACA process requires a true-up of billed revenues billed to an LDC's customers through the Company's PGA Factor which shall be reconciled with the actual prudently incurred costs of gas with adjustments made through the ACA Factor.~~

Status: Change has been made.

Comments Regarding Section (4)

Mike Cline, Laclede:

He suggested that "carrying costs" be included in the true up process.

Status: See proposed revision to definition of gas costs.

Warren Wood, MEDA:

Written comment number (5)

Sections (3) and (4) seemed to be duplicative of their respective definitions.

Status: See comments for sections (3) and (4).

Section (5) and Proposed Edits from Commenters:

(35) LDC Filing Procedures for PGA Factors

(A) In its PGA ~~Factor~~ filings the LDC shall estimate its gas costs for the current ACA period. The PGA Factor calculation shall be the LDC's best estimate of the LDC's gas costs and volumes to be purchased for resale to customers and shall include documentation to fully support the LDC's calculation for projected monthly demand levels, supply options, transportation options, storage options, and revenues that affect the PGA rate calculation.

Status: Section deleted. Documentation requirements now addressed in DRAFT proposed rule, 4 CSR 240-3.242, to be discussed at next PGA/ACA Rule Roundtable.

(B) In its PGA ~~factor~~ filing each LDC shall include a brief summary of the factors causing the proposed PGA rate to be different than the currently effective PGA rate. The PGA filing shall also include the name and contact information for the person(s) who prepared the filing. ~~signed Affidavit attesting that the person signing has participated in the preparation of the information provided and has verified the information was prepared by person(s) with the knowledge of the matters set forth and the responses are accurate and complete, and contain no material misrepresentations or omissions to the best of his/her knowledge and belief.~~

Status: Section deleted. Documentation requirements now addressed in DRAFT proposed rule, 4 CSR 240-3.242, to be discussed at next PGA/ACA Rule Roundtable. An Affidavit is required in that draft rule.

(C) The LDCs may make up to four (4) PGA filings during each calendar year. One such filing shall be effective between October 1, and December 5 of each year, but no more than one PGA filing shall become effective in any two consecutive calendar months unless specifically ordered by the Commission.

(D) The LDC shall be permitted to make PGA/ACA filings ~~at least 30~~ in as few as 10 business days prior to the proposed effective dates.

Status: No change proposed at this time.

(E) Each LDC PGA filing shall include the information specified in 4 CSR 240-3.242.

Comments Regarding Section (5)

Rick Zucker, Laclede:

He noted the change in timeframe to 30-days in section (5)(D), from the current requirement of 10-business days. Doesn't believe additional time gives Staff sufficient information for all curiosity questions. He suggested having LDC person available at the agenda to answer questions.

Status: See comments for sections (5)(D), above.

Victor Edwards, Atmos Energy:

Requested clarification of Section (5)(B) "affidavit" and who should it be from.

Status: See comments for sections (5)(B), above.

Russ Mitten, Brydon, Swearngen & England

Provide clarification of requirements for workpapers and Affidavit in Section (5). Include a requirement to explain the reason for the change to PGA.

Status: See comments for sections (5), above.

Warren Wood, MEDA:

Requested clarification of Section (5)(B) “affidavit” requirements and expectations for the contents. Questioned why going from 10 business days in current process to 30 days in Section (5)(D).

Status: See comments for sections (5)(B) and (5)(D), above.

Written comment number (6):

Section (5)(B) has been revised to focus on what information MoPSC Staff expressed an interest in receiving in future PGA filings. Sections (6) and (7) have also been revised to reflect the changes made to section (5)(B). While the utilities are happy to provide a contact person to assist Staff in explaining PGA filings, it does not make sense to add an unnecessary layer of bureaucracy through a signed affidavit, especially since PGA rates are interim subject to refund, and there has never been a problem with PGA filings.

Status: See comments for sections (5), above.

Written Comment number (7)

Section (5)(D) as proposed changes the current 10 business day cycle for PGA adjustments to 30 days. Again, a tripling of the current approval process unnecessarily delays a change in PGA rates given the interim subject to refund nature of these adjustments. MEDA is unaware of any problems in the current process requiring this sort of an extension to review cycles which will serve to grow over- or under-recovery balances that these changes in PGA rates are designed to manage. Section (6) and 7(A) have also been revised to be consistent with the goal of avoiding unnecessary red tape and delay.

Status: See comments for sections (5), above.

Mike Noack, MGE:

With exception to winter filing, any additional PGA filings in the year are in response to market conditions. For any additional PGA filing in the year, LDCs are often responding to Staff request to file (other than annual filing).

Status: No change proposed.

Jim Massman, AmerenUE:

What “testimony” is required?

Status: Documentation requirements are now addressed in DRAFT proposed rule, 4 CSR 240-3.242, to be discussed at next PGA/ACA Rule Roundtable.

Mike Straub, PSC Staff:

Additional time is needed by Staff to review filings, including whatever report or testimony is provided. The time gives the parties an opportunity to respond to LDCs filing. Clarified that rule requires information (testimony or report) with affidavit.

Tom Imhoff, PSC Staff:

He acknowledged Staff has requested LDCs consider filing a revised PGA, although not frequently.

Lera Shemwell, PSC Staff Counsel:

She clarified “question and answer” style of testimony not needed, but an explanation of the changes requested in the PGA filing is needed.

Section (6) and Proposed Edits from Commenters:

(46) Staff shall review the LDC’s PGA ~~Factor~~ filing to determine that all information required in 4 CSR 240-3.242, ~~accompanied by the required Affidavit~~, is included with the filing and that the information supports the proposed PGA ~~factor~~ change. The Staff ~~shall review the LDC’s proposed factor for conformance with 4 CSR 240-40.011, 4 CSR 240-3.242 and the LDC’s tariff. For a PGA filing in conformance with 4 CSR 240-3.242, 4 CSR 240-3.242 and the LDC’s tariff the Staff~~ shall file its recommendation with the Commission within ~~twenty~~ (20) five (5) business days of the Company’s filing. If the filing is not in conformance with the requirements, Staff shall notify the LDC of the deficiency upon or prior to filing its recommendation ~~and may recommend the Commission reject the filing~~.

Status: Changes have been made for comments on the last sentence. See proposed revision for remainder of this section.

Comments Regarding Section (6)

Warren Wood, MEDA:

Included in written Comment number (7)

Section (6) and 7(A) have also been revised to be consistent with the goal of avoiding unnecessary red tape and delay.

Status: See comments for sections (6), above.

Section (7) and Proposed Edits from Commenters:

(57) Procedures for LDC Filing of the ACA Factor.

(A) In its ACA filing each LDC shall include the name and contact information for the person(s) who prepared the information filed. ~~a signed Affidavit attesting that the~~

~~person signing has participated in the preparation of the information provided and has verified the information was prepared by person(s) with the knowledge of the matters set forth and the responses are accurate and complete, and contain no material misrepresentations or omissions to the best of his/her knowledge and belief.~~

Status: Section deleted. Documentation requirements now addressed in DRAFT proposed rule, 4 CSR 240-3.242, to be discussed at next PGA/ACA Rule Roundtable. An Affidavit is required in that draft rule.

(B) Revised ACA factors shall be filed in the Commission's Electronic Filing and Information System by the LDC once per year and shall be filed with the PGA ~~Factor~~ filing to be effective between October 1, and December 5, of each year.

Status: Change made. See other revision proposed for this section.

(C) Each LDC ACA filings shall include the information specified in 4 CSR 240-3.242.

Comments Regarding Section (7)

Warren Wood, MEDA:

For Section (7)(A) change "responses are accurate" to "filing is accurate".

Included in written Comment number (7)

Section (6) and 7(A) have also been revised to be consistent with the goal of avoiding unnecessary red tape and delay.

Status: See comments for sections (7), above.

Section (8) and Proposed Edits from Commenters:

~~(6)~~ (8) The Staff shall conduct an ACA audit after the end of each ACA Period for each LDC.

(A) Staff's procedure may include, but is not limited to:

1. A review of the LDC's reconciliation of its actual gas costs ~~with what it charged customers (its billed PGA revenues)~~;

~~2. An audit to determine if the LDC claimed gas purchase costs are properly attributed to the ACA Period under review;~~

~~2.3.~~ An audit of the LDC's ~~review of the~~ pipelines' and natural gas suppliers' charges or invoices for the volumes nominated and received at the proper contract rates;

3.4. An examination of the reliability of the LDC's gas supply, transportation, and storage capabilities;

4.5. A review of the LDC's gas purchasing practices to determine ~~whether the LDC has submitted sufficient supporting documentation to demonstrate~~ the prudence of its natural gas purchasing and operating decisions.

Status: See proposed revisions to section (A).

(B) Staff shall issue a recommendation based on its Staff's audit findings. Staff's recommendation shall include any recommended changes to the ACA balances in the form of an over-recovery or under-recovery of the ACA balances. If Staff asserts in its recommendations a disallowance of any of the LDC's Gas Costs, the Company shall file a response thereto and, if applicable, the matter shall thereafter be treated as a contested case.

Status: See proposed revision.

Suggested MGU edits:

(C) A Small LDC may request a waiver of the annual ACA Review. Such request will be granted on a self-implementing basis unless Staff objects to the waiver. The waiver will be denied in the event Staff objects.

1. The waiver request will be included in the annual PGA filing which occurs between October 1 and December 5 each year.
2. Staff must object within thirty days of the PGA filing. Otherwise the waiver will be granted.
3. No small LDC will be granted more than two consecutive ACA Review waivers.
4. A waiver requesting Small LDC may submit support for the waiver. Such documentation must be filed with the waiver request.
5. A Small LDC requesting an ACA Review waiver will provide an affidavit related to any waiver support submissions similar to that required in Paragraph (7)(A).

Status: No change currently proposed to address these comments. Customers of a small LDC should be assured of an ACA review on an annual basis.

Comments Regarding Section (8)

Warren Wood, MEDA:

He suggested timeframes be added to this section regarding the MoPSC Staff ACA process.

Written comment number (8)

MEDA suggests, among other things, that section (8) be revised to detail specific timeframes for initiation and completion of the MoPSC Staff ACA audits. No specific recommendations are made in this letter but this should be a topic of discussion in the next rulemaking roundtable for this rule or 4 CSR 240-3.242.

Status: No change currently proposed to address these comments.

Mike Noack, MGE:

Question regarding meaning of item (8)(A)3.

Status: Discussed at first roundtable.

Dave Sommerer, PSC/Staff:

He responded Section (8) provides general information about the ACA process.

Sections (9) and (10) and Proposed Edits from Commenters:

~~(9) PGA/ACA information to be contained in the LDCs' tariff. Each LDC utilizing this PGA/ACA process shall have Commission approved tariff sheets containing the necessary information to administer and operate its PGA/ACA process. However, the tariff shall be in full compliance with this rule.~~

~~(10) Upon the effective date of this Rule each LDC has sixty (60) days in which to file tariff sheets, with a sixty (60) day effective date, containing the necessary information and language to administer and operate its PGA/ACA tariff process.~~

Status: These sections describe the PGA/ACA process, including the relationship to the LDC's tariff. Sections not deleted, but minor changes proposed. See proposed revisions to sections (9) and (10). Staff does not expect an LDC to have to make major changes.

Comments Regarding Sections (9) and (10)

Warren Wood, MEDA:

Written comment number (9):

Since the rules are not designed to change the process, but rather to provide general guidelines while the tariffs provide specifics, it doesn't seem necessary at this time to have provisions requiring the tariffs to hew to the rules. (9 and 10)

Status: See comments for sections (9) and (10), above.

COMMENTS REGARDING MFR RULE 4 CSR 240-3.242

Warren Wood, MEDA:

Question on when other (MFR) rule will be shared. Notes there may be additional comments on both rules when the MFR rule is available.

Status: Draft rule is being provided prior to second roundtable which is scheduled for 8/13/2010.

List of Those Providing Comments

(At roundtable or through written comments)

Mike Cline, Laclede
Dean Cooper, Brydon, Swearengen & England
Victor Edwards, Atmos Energy:
Tim Johnston, Missouri Gas Utility
Jim Massman, AmerenUE
Russ Mitten, Brydon, Swearengen & England
Mike Noack, Missouri Gas Energy
Warren Wood, Missouri Energy Development Association
Rick Zucker, Laclede

Natelle Dietrich, PSC Staff
Tom Imhoff, PSC Staff
Lera Shemwell, PSC Staff Counsel
Dave Sommerer, PSC Staff
Mike Straub, PSC Staff