

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

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

COMMENTS OF SPIRE MISSOURI INC.

COMES NOW Spire Missouri Inc. (“Spire” or “the Company”) and submits these comments in response to the Missouri Public Service Commission’s (“the Commission”) December 11th, 2019 *Order Opening a Working Case to Consider A Proposed Residential Customer Disconnection Data Reporting Rule* (“the Order”). The Order directs interested stakeholders to provide comments regarding the rule proposed by the Office of the Public Counsel (“OPC”) or the cost to comply with the proposed rule, by February 14, 2020.

In submitting its comments, Spire would like to note that given the myriad of factors that impact the figures highlighted in the OPC memorandum attached to its draft rule, Company preferences and systems for these functions and processes will likely vary among the state’s utilities. Spire appreciates the OPC’s efforts to standardize customer disconnection data in order to facilitate more effective use and review of that information. At Spire, our customers’ safety, health, and well-being are our principle value. Spire looks forward to participating in the discussion on this issue.

Cost of Compliance. As noted in Spire’s comments below, several parts of the proposed rule are in need of clarification. Without further clarification, it is difficult at this time to determine what the cost of compliance for Spire would be. That said, it is evident as the proposed rule stands that compliance will create additional obligations for Spire, the cost of which could be significant.

In support thereof, Spire has included comments and questions (**Bold**) for consideration under specific sections of the OPC's draft rule as set forth below.

**Title 20 – Department of Commerce and Insurance
Division 4240 – Public Service Commission
Chapter XX – [Chapter Title]**

PROPOSED RULE

4 CSR 240-XX.XXX Service Disconnection Reporting Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utilities

PURPOSE: This rule sets forth the requirement and standards for the submission of reports regarding and related to the cessation of services provided to customers by investor owned electric, gas, water, sewer, and steam heating utilities that are subject to the jurisdiction of the commission.

(1) For purpose of this rule:

- (A) affordability payment plan shall mean a commission-approved plan offered at the utility's option in which a customer provides for the payment of any outstanding delinquent charges accrued to that customer for regulated utility services as a condition of receiving continued services;
 - **Spire believes this definition could be better defined. It is difficult to know if a customer's specific plan/arrangement was established to avoid cessation of continued services unless the Company looks at the age of debt/late fees/severance at the time the payment arrangement was created for the service address. Spire currently offers three separate plans for gas related debts: general payment arrangements, Cold Weather rule (which consists of a budget on the gas service address), and the Fixed Charge Assistance Program (which also consists of a budget on the gas service address). Any one of these plans are options for customers with arrears, regardless of any risk of disconnection for non-payment.**
- (B) budget billing payment plan shall mean a commission-approved plan offered at the utility's option in which a customer pays regularly an amount calculated independent of the volume of utility service used by the customer in a single given billing period;
 - **As described under (A) above, Spire offers three different budget plans: general, Cold Weather Rule, and the Fixed Charge Assistance**

Program. Clarification on which of these plans would fall under this definition would be beneficial.

This definition also raises questions regarding how the terms of a budget plan would be established/based. How would this budget plan be based if not on average usage? How would any differences be handled? Are there implications from an IT perspective; can this be accommodated by current systems?

- (C) bill shall mean a demand in writing or, if agreed to by the customer and the utility, in electronic format for payment for utility services rendered or utility equipment supplied and any associated taxes, surcharges, and franchise fees;
- (D) billing period shall mean the normal period of utility service usage by a customer for which a bill is generated and which is not less than twenty-six (26) nor more than thirty-five (35) days for a monthly billed customer nor more than one hundred (100) days for a quarterly billed customer;
- (E) customer shall mean a person or legal entity responsible for payment for utility service except for any person or legal entity denoted as a guarantor;
 - **How would this definition account for multiple financially responsible persons on the account (i.e. husband is main customer, spouse is secondary customer/financially responsible?) Would the count then be one or two customers? Or is the secondary customer considered a guarantor as defined in (G) below?**
- (F) delinquent charge shall mean a charge for regulated utility service that remains unpaid for at least twenty-one (21) days for a monthly-billed customer and for at least sixteen (16) days by a quarterly billed customer from the date the utility issues the bill, or a charge remaining unpaid after the preferred payment date selected by the customer and agreed to by the utility;
 - **How does this definition match up to current tariff definitions? How does it support current collection efforts? Do the charges described above include taxes?**
- (G) guarantor shall mean any person or legal entity who has executed a legally binding promise in writing to assume liability up to a specified amount for delinquent charges which might accrue to a particular customer;
 - **Clarification on the types of non-cash deposits this includes would be beneficial (surety bonds, letters of credit or third-party deposits)?**
- (H) involuntarily disconnection shall mean the cessation of regulated utility services, whether completed remotely or by going to the premise to physically disconnect, that is not undertaken at the request of the customer receiving service and includes any discontinuance of services as defined in Chapter 13 of this title but does not include any temporary disruption in the provision of utility services caused by forces outside of the utility's control;

- **Would this definition include disconnections for safety purposes? Would it include disconnections for system maintenance or to meet regulatory requirements?**
- (I) reconnection shall mean the provision of utility services to a unique residential account that had previously ceased receiving the utility's services whether it occurs remotely or at the physical location;
- **Would this definition include voluntary turn-off's or would it also encompass involuntary turn-off's (as determined by (I) above)? Would this definition include transfers of service or new service start-ups?**
- (J) third-party collection agency shall mean any person, agent, business, or other legal entity engaged by a utility, but which is not subject to the direct control of the utility, for the purpose of collecting monies owed to the utility following the nonpayment by a customer for utility services previously rendered to that customer;
- **In this instance, would third party collection agency mean the vendor technicians who go to the premise to collect at the door, prior to disconnection or the third-party vendors who attempt to collect unpaid debts after a final bill is issued and remains unpaid?**
- (K) unique residential account shall mean any instance wherein the utility has agreed to provide service to a particular customer at a particular physical location with a single, identifiable meter;
- **Does "unique residential account" differ from the definition of "customer" in (E) above. Is this describing a service agreement? Or, should this be using a service point? If so, can a service point have more than one meter? For instance, Spire has multiple premise/service point ID's associated with a single service agreement ID. How would these be handled?**
- (L) utility means each electric, gas, water, sewer, and steam heating company regulated by the commission; and
- (M) voluntarily disconnection shall mean the cessation of regulated utility services, whether completed remotely or by going to the premise to physically disconnect, that is undertaken at the request of the customer receiving service.
- **Does this definition include premises where we do not remotely or physically disconnect the service?**
- (2) Each utility shall provide as a non-case related submission in the commission's electronic filing system a report within fifteen (15) days of the end of each month. The utility shall provide a copy of each report to the Office of the Public Counsel. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. All information shall be submitted in a native electronic spreadsheet format. Each utility shall report the following information as it relates to the immediately preceding month:

- (A) the total number of unique residential accounts as of the first day of the month;
- (B) the total number of unique residential accounts as of the last day of the month;
 - **Does this definition mean the last business day of the month? Or the last calendar day? Does this mean by close of business on the last day? Data will be affected by the different system batches that are run at different times during the day. There are also items such as “clerical offs”, an example being stop service dates being back-dated to make billing corrections. Would this be determined based on the status of the service agreement? Or the status of the service point?**
- (C) the total number of unique residential accounts that ceased receiving the utility’s service at least once during the month;
 - **Is this the total of (D) and (E) below? Would this definition include transfers of services, disconnections, or service that was never disconnected; rather, just stopped in someone’s name?**
- (D) the total number of unique residential accounts that were voluntarily disconnected at least once during the month;
- (E) the total number of unique residential accounts that were involuntarily disconnected at least once during the month;
 - **Does this definition include involuntary disconnection not due to non-payment? Should be differentiated between Atmospheric Corrosion Inspection (“ACI”), Pipeline, general safety, regular stop service, and disconnections for non-payments.**
- (F) the total number of unique residential accounts for which the utility issued a notice indicating the potential for an involuntarily disconnection at least once during the month;
 - **Is this referring to a specific type of notice? Does this include Interactive Voice Response (“IVR”) calls and ACI notices? Does this depend on the “Definition” for (K) and (H) in Part 1 above? Does this include pipeline upgrade notices? These notices would not be feasible to track.**
- (G) the total number of unique residential accounts that were reconnected at least once during the month;
 - **Does ‘reconnect’ mean same person/same premise or something else? Is there a time-frame for this? How much time could lapse between the disconnection and start service to be considered a reconnection? Does the listed below (H) + (I) = (G)? Within a reconnection, depending on how long it’s been disconnected, are there two types of Service Agreements? Need further clarification on reconnection.**
- (H) the total number of unique residential accounts that were reconnected at least once during the month following a prior voluntarily disconnection;

- **To adequately report this information, the definitions for (K), (H), and (I) in Part 1 above; in which “voluntarily” would be contradictory if definition of ‘I’ above is only when following an involuntary cessation of service. Is this different than a customer reconnecting? Is there a time-frame involved?**
- (I) the total number of unique residential accounts that were reconnected at least once during the month following a prior involuntarily disconnection;
 - **As previously stated, this would depend on the “definition” of (K), (H), and (I) in Part 1 above. Further, does this include Same Person/Same Premise?**
- (J) the total number of unique residential accounts that began receiving service for the first time during the month;
 - **Does this mean customers receiving service for the first time ever? Record retention policies would make this difficult. Would Spire include the count of new person ID’s to the system that start’s service for any new gas metered or unmetered service agreement type? It should be noted that there isn’t anything on a person ID that is ‘effective date’ stamped. Spire has multiple person ID’s for the same person (same SSN or FIN) due to the Company’s New Blue conversion, some business processes (customer has both a commercial and residential property and can be the same person with two different accounts, but some users create different person/account for each), and some customers prefer multiple person/account records (i.e. they use Spire as their accountant)**
- (K) the total number of unique residential accounts for which at least one charge for utility services became a delinquent charge during the month
 - **Does this include when a late fee is assessed – is the charge due or already delinquent? Was a late gas fee assessed?**
- (L) the total number of unique residential accounts for which there existed at least one delinquent charge as of the last day of each month;
 - **Why is it the last day of the month? Is a gas late fee assessed or a late fee related to service work that is unregulated?**
- (M) the total number of delinquent charges that were transferred to, or for which the utility otherwise began using the services of, any third-party collection agency during the month;
 - **Is the collection agency as described in the ‘definition’ of (J) in Part 1 above? Is this for residential only or all customer classes? Is this for all gas related delinquent charges (i.e. late fees) only or does it include service work that is not regulated? Would this include debt pulled and resubmitted to a third-party? Is the number of delinquent charges wanted or the amount associated? Is this the total number of**

accounts where debt was transferred to an active account? Or is it the account that went to a third-party? Is this all existing delinquent charges or newly transferred?

- (N) the lowest delinquent charge by dollar value among all delinquent charges currently outstanding as of the last day of the month;
- **This data may be problematic to report as it may not be the amount that the customer was originally disconnected for. Is this the last business day or last calendar day? Does this include final billed debt or only “accounts” with active utility service? Is this for residential only or for all customer classes?**
- (O) the highest delinquent charge by dollar value among all delinquent charges currently outstanding as of the last day of the month;
- **Does this include final billed debt or only “accounts” with active utility service? Is this for residential only or for all customer classes?**
- (P) the mean average dollar value of all delinquent charges currently outstanding as of the last day of the month;
- **Does this include final billed debt or only “accounts” with active utility service? Is this for residential only or for all customer classes?**
- (Q) the total dollar value of any monies received from the federal Low-Income Home Energy Assistance Program to pay for delinquent charges during the month,
- **This data is not feasible to obtain. Not all LIHEAP funding received is applied to delinquent charges. In some instances, Spire may apply the total of all LIHEAP funding received for energy assistance and energy crisis intervention programs. It would be possible to report the total amount of LIHEAP funding received for energy assistance and energy crisis prevention programs without determining the portion applied to delinquent charges. Would this include final billed debt or only delinquent amounts on “accounts” with active utility service? It should be noted that only residential customers who heat with natural gas or propane, or have a natural gas/heat pump combo, or have a natural gas/gas AC combo, receive energy assistance.**
- (R) the total dollar value of any monies received for payment of delinquent charges that was received from any person or legal entity that is not the customer responsible for payment of the delinquent charge or the federal Low-Income Home Energy Assistance Program and that was received in accordance with any provision set forth in the utility’s tariff during the month;
- **Would Companies be able to report receivables only on delinquent gas amounts? Does this include final billed debt or only delinquent amounts on “accounts” with active utility service? Further, this would be difficult data to obtain as Spire doesn’t keep track of who makes payments, other than payments received from pledging agencies or**

collection agencies on final service agreements where debt is unpaid.

- (S) the total dollar value of any monies received for payment of delinquent charges that was received from any person or legal entity that is not the customer responsible for payment of the delinquent charge or the federal Low-Income Home Energy Assistance Program and that was not received in accordance with any provision set forth in the utility's tariff during the month;
- **Spire would recommend clarifying what is meant by "received in accordance with any provision set for in the utility's tariff" vs "not received in accordance with any provision set for in the utility's tariff." Would this include Spire's Fixed Charge Assistance Program? Would credits received from Spire's Fixed Charge Assistance Program be considered "received in accordance" because it mentioned in the tariff. Minor Agency vs LIHEAP? Spire could track pledge payments but does not track every instance of someone who is not financially responsible for making a payment on someone else's bill.**
- (T) the total number of unique residential accounts paying for utility services under a budget billing payment plan as of the last day of the month;
- **Does this mean how many customers have been billed under the 'Budget'? Or how many Budget Billing customers? Cold Weather Rule Budget vs regular Budget billing? Fixed Charge Assistance Program Budget? This will depend on the "Definition" for (K) in Part 1 above.**
- (U) the total number of unique residential accounts paying for utility services under an affordability payment plan as of the last day of the month;
- **Does this mean Cold Weather Rule, Fixed Charge Assistance Program, and/or a General Payment Arrangement? As stated throughout, this would depend on the "Definition" of (K) in Part 1 above.**
- (V) the mean average volume of services provided among all unique residential accounts recorded during the month in kilowatt-hours for electric services, centum cubit feet for gas services, thousand gallons of water for water and sewer services, and thousand pounds of steam for steam/heat services;
- **Would this include estimated and actual usage? Billed vs used?**
- (3) If the commission finds that any deficiency exists in the report submitted by a utility as required under subsection (2) of this rule, the commission may direct its staff to issue a notice to the utility identifying the deficiency. Any utility that receives a notice from the commission stating that deficiencies exist in its report shall respond to that notice within twenty (20) days after the date said notice is issued and shall provide all information necessary to cure the deficiency identified in said notice in its response.
- (4) Any utility subject to subsection (2) of this rule that is unable to meet the submission

deadline established in that subsection may obtain, at the commission's discretion, an extension of up to fifteen (15) days for submitting its report, provided that the utility first:

- (A) submit a written request, stating the good cause reason for the extension, to the attention of the secretary of the commission prior to the utility's submission deadline, and
 - (B) certify that the utility send a copy of the written request to all parties of record in pending cases before the commission where the utility's activities are the primary focus of the proceedings.
- (5) Each report submitted by a utility as required under subsection (2) of this rule shall be made publicly available for access through a hyperlink found on the commission's official website's home page.
- (6) The staff of the commission shall produce an *Annual Customer Disconcertion Report* within fifteen (15) days of the end of each year that shall aggregate all the reports submitted by all utility as required under subsection (2) of this rule during the course of the previous year. This *Annual Customer Disconcertion Report* shall be made publicly available for access through a hyperlink found on the commission's official website's home page. All information included in the *Annual Customer Disconcertion Report* shall be considered public information; however, no customer-specific information shall be reported or made public.

CONCLUSION

As described in the Company's comments above, there are many factors that impact the different data sets described in the OPC draft rule. Ensuring that definitions are constructed in a way that successfully incorporates these underlying variations is highly important to this process. Some provisions of the rule require clarification to not only provide the appropriate data but to ensure that the data provided satisfies the needs of those intending to use it. Spire appreciates the OPC's effort in beginning this discussion and looks forward to further participating in this workshop.

Respectfully submitted,

SPIRE MISSOURI INC.

/s/*Goldie T. Bockstruck*

Goldie T. Bockstruck #58759
Director, Associate General Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
314-342-0533 Office (Bockstruck)
314-421-1979 Fax

Goldie.Bockstruck@spireenergy.com

Matt Aplington
General Counsel, Spire Missouri

700 Market St
St. Louis MO 63101
Telephone: (314) 342-0785
Email: Matt.Aplington@spireenergy.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Additional Response was served on all parties of record on this 14th day of February 2020 by email.

Goldie T. Bockstruck
Goldie T. Bockstruck