

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in St. Joseph City on the 3rd day of September, 2014.

In the Matter of)	
Summit Natural Gas of Missouri Inc.'s)	File No. GR-2014-0086
Filing of Revised Tariffs to Increase Its)	Tracking No. YG-2014-0285
Annual Revenues for Natural Gas Service)	

ORDER REGARDING PARTIAL STIPULATIONS AND AGREEMENTS

Issue Date: September 3, 2014

Effective Date: September 3, 2014

The Missouri Public Service Commission is making its conclusions as to three partial stipulation and agreement (“partial settlement”) documents:

- *Partial Stipulation and Agreement as to Dual Fuel and Conversion of Appliances.*¹
- *Partial Stipulation and Agreement as to Energy Efficiency, Weatherization, and Other Matters.*²
- *Partial Stipulation and Agreement.*³

The last—the *Partial Stipulation and Agreement*⁴—addresses schools, depreciation, rate switchers, weather normalization, billing determinants, and an Energy Efficiency Collaborative.

¹ EFIS No. 148, *Partial Stipulation and Agreement*, filed on August 18, 2014.

² EFIS No. 154, *Partial Stipulation and Agreement as to Energy Efficiency, Weatherization, and Other Matters*, filed on August 22, 2014.

³ EFIS No. 149, *Partial Stipulation and Agreement*, filed on August 18, 2014.

⁴ EFIS No. 149, *Partial Stipulation and Agreement*, filed on August 18, 2014.

Each partial settlement relates to the pending tariff sheets (“tariffs”) filed by Summit Natural Gas, Inc. (“applicant”). The Commission suspended those tariffs, instituting a contested case to determine the propriety of those tariffs. Contested case procedure allows for waiver of procedural formalities⁵ and a decision without a hearing,⁶ including by settlement.⁷ All parties have either signed, or do not oppose, each of the settlements. On the matters disposed of by the partial settlements, no party seeks an evidentiary hearing, so no hearing is required,⁸ and the Commission need not separately state its findings of fact.⁹

Nevertheless, the applicant has a duty to provide such “service instrumentalities and facilities as shall be safe and adequate[, ¹⁰]” and has the burden of proving that increased rates are just and reasonable.¹¹ The preponderance of the evidence¹² and reasonable inferences from the evidence,¹³ guides those determinations.

To support those determinations, the partial settlements provide for the entry of specified evidence into the record (“evidentiary provisions”). Also, the Commission has concluded the evidentiary hearing on the propriety of the tariffs on August 22, 2014. The Commission’s independent review of the record shows that substantial and competent

⁵ Sections 536.060(3), RSMo 2000 and 536.063(3), and RSMo Supp. 2013.

⁶ Sections 536.060, RSMo 2000.

⁷ *Id.* and 4 CSR 240-2.115.

⁸ *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Comm’n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

⁹ Section 536.090, RSMo 2000.

¹⁰ Section 393.130.1, RSMo Supp. 2012.

¹¹ Section 393.150.2, RSMo 2000.

¹² *State Board of Nursing v. Berry*, 32 S.W.3d 638, 641 (Mo. App., W.D. 2000).

¹³ *Farnham v. Boone*, 431 S.W.2d 154 (Mo. 1968).

evidence weighs in favor of the settlements' substantive provisions. Those provisions support safe and adequate service at just and reasonable rates.

Therefore, the Commission will incorporate the settlements' evidentiary and substantive provisions into this order.¹⁴

THE COMMISSION ORDERS THAT:

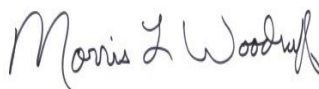
1. The evidentiary and substantive provisions of the following documents ("partial settlements"), as described in the body of this order are incorporated into this order as if fully set forth:

- a. *Partial Stipulation and Agreement as to Dual Fuel and Conversion of Appliances.*
- b. *Partial Stipulation and Agreement as to Energy Efficiency, Weatherization, and Other Matters.*
- c. *Partial Stipulation and Agreement.*

2. The respective signatories are ordered to comply with the substantive provisions of the partial settlements.

3. This order is effective immediately upon issuance.

BY THE COMMISSION



Morris L. Woodruff
Secretary



R. Kenney, Chm., Stoll, W. Kenney,
Hall and Rupp, CC., concur.

Jordan, Senior Regulatory Law Judge

¹⁴ Section 536.060, RSMo 2000.