

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

In the Matter of a Working Case to Consider)
Best Practices for Recovery of Past Due Utility) **File No. AW-2020-0356**
Customer Payments After the COVID-19)
Pandemic Emergency)

**MOTION TO TERMINATE WORKING DOCKET
OR
STAFF REQUEST FOR COMMISSION ORDER**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and for its *Motion to Terminate Working Docket or Staff Request for Commission Order* respectfully states:

I. MOTION TO TERMINATE WORKING DOCKET OR IN THE ALTERNATIVE

APPLY RULES 20 CSR 4240-4.020 AND 4.030

1. On May 11, 2020, the Commission opened this matter to answer the question of how utilities may collect past-due accounts-receivable without unduly burdening vulnerable customers, as well as any other relevant concerns due to the COVID-19 pandemic emergency. The Commission ordered Staff to investigate and file a report regarding this matter no later than August 3, 2020. As a working docket case, the Commission’s rules on ex parte and extra-record communications do not apply.¹

2. Prior to the opening of this working docket case, Evergy Missouri Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (collectively, “Evergy”) filed a case before the Commission, EU-2020-0350, asking for an accounting authority order (“AAO”) permitting Evergy to accumulate and defer to a

¹ 20 CSR 4240-4.015(1) (defining “Case” as “Any matter filed before the commission for its determination except working dockets....”); see also 20 CSR 4240-4.020—4.030.

regulatory asset for consideration of recovery in future rate case proceedings before the Commission all extraordinary costs and financial impacts incurred as a result of the COVID-19 pandemic, plus associated carrying costs.

3. After the opening of this working docket case, Spire Missouri, Inc., d/b/a Spire (“Spire”) filed its own case before the Commission, GU-2020-0376, also asking for an AAO relating to extraordinary costs and financial impacts incurred as a result of COVID-19, on May 18, 2020.

4. As a result of drafting questions related to information that will likely be needed for Staff’s report, Staff has concerns that, due to Evergy and Spire having filed cases requesting relief from COVID-19, and this working docket case’s role in investigating best practices to grant Missouri utilities relief due to COVID-19, there will be multiple overlapping issues, and it will be confusing or difficult for the parties to comply with Commission Rules 20 CSR 4240-4.020, which governs ex parte communications, and 20 CSR 4240-4.030, which governs extra-record communications. To prevent the potential violation of these rules, the Commission could either terminate this working docket case, or it could issue an order applying Rules 4.020 and 4.030 to all communications regarding this working docket case.

5. To ensure that violations of the Commissions’ rules do not incur, and that the Commission’s decision in the currently filed cases is not challenged by allegations of violations of Rules 4.020 and 4.030 in this case, it is Staff’s recommendation that the Commission issue an order either terminating this working docket case or applying Rules 4.020 and 4.030 to this case.

6. If the Commission determines that terminating this working docket case is not necessary, Staff requests the following Commission Order:

II. STAFF REQUEST FOR COMMISSION ORDER

7. Staff requests that the Commission order this to be treated a “case” as defined by 20 CSR 4240-4.015(1), and that Commission Rules 20 CSR 4240-4.020 and 20 CSR 4240-030 be applicable to all communications regarding this case to alleviate Staff’s concerns regarding EU-2020-0350 and GU-2020-0376.

8. To better help facilitate Staff’s investigation, lists of questions have been prepared for Missouri utilities and non-utilities, respectively, to answer in order to aid Staff in its investigation.

9. The questions have been divided into two separate documents: questions for Missouri utilities, labeled Appendix A, and questions for non-utilities, labeled Appendix B.

10. Pursuant to Sections 386.250(6)-(7), 386.310, 393.140 (2016), RSMo the Staff requests that the Commission issue an Order requiring the Missouri utilities listed in Appendix A to file a response in this docket to the questions presented in Appendix A no later than July 15, 2020. If any utility requests clarification regarding any of the questions, they may contact:

Mark Oligschlaeger
Financial and Business Analysis Director
Financial and Business Analysis Division
Staff of the Missouri Public Service Commission
573-751-7443
Mark.Oligschlaeger@psc.mo.gov

11. For non-utilities who wish to aid in the investigation and answer any of the questions presented by Staff, including those non-utilities not listed in Appendix B, the

Commission should set the same deadline of July 15, 2020 for responses. While Staff has identified certain non-utility parties listed in Appendix B to whom the questions will be sent, Staff welcomes responsive comments from any and all non-utility parties interested in this subject matter. If any non-utility party requests clarification regarding any of the questions, they may contact:

Contessa King
Utility Regulatory Manager
Customer Experience Department
Staff of the Missouri Public Service Commission
573-751-5239
Contessa.King@psc.mo.gov

WHEREFORE, Staff prays that the Commission grant its *Motion to Terminate Working Docket* or, in the alternative, *Staff's Request for Commission Order*, and any such further relief deemed just under the circumstances.

Respectfully Submitted,

/s/ Travis J. Pringle

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand delivered, transmitted by facsimile or electronically mailed to all counsel of record this 16th day of June, 2020.

/s/ Travis J. Pringle