

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

In the Matter of the Request of the Empire )  
District Gas Company d/b/a Liberty for ) **File No. GR-2021-0320**  
Authority to File Tariffs Increasing Rates )  
For Gas Service Provided to Customers )  
In its Missouri Service Area. )

**POSITION STATEMENT OF THE EMPIRE DISTRICT GAS COMPANY  
D/B/A LIBERTY**

COMES NOW, The Empire District Gas Company d/b/a Liberty (“EDG”), and hereby submits its Position Statement in this matter.

1. Should the Commission approve the recommendations filed on behalf of the MSBA?

**EDG POSITION: No. The Commission should not adopt the recommendations filed on behalf of the MSBA.**

- a. Should the Commission modify EDG’s Aggregation, Balancing, and Cash-out Charges in this case?

**EDG POSITION: No. The Commission should not modify EDG’s existing aggregation, balancing and cash-out charges. These rates were originally approved by the Commission in Case No. GR-2009-0434 and are just and reasonable. (See Earhart Rebuttal, pp. 4-5; Earhart Surrebuttal, pp. 1-2; Patterson Rebuttal, pp. 3-17)**

- b. Should the Commission establish a section within EDG’s tariff or standalone rate schedule applicable only to special statutory provisions for School Transportation Program? If so, when should a revised tariff be submitted to the Commission?

**EDG POSITION: No. As explained by Staff witness Keenan B. Patterson and EDG witness Tatiana Earhart, there is not sufficient time to fully consider and vet a new stand-alone STP tariff in this case. However, EDG is willing to work with the MSBA and Staff to develop a stand-alone STP tariff prior to the next general rate case for EDG’s sister company, Liberty Utilities (Midstates**

**Natural Gas) Corp. (See Earhart Rebuttal, pp. 2-3; Earhart Surrebuttal, pp. 2-3; Patterson Rebuttal, pp. 17-21)**

- c. Should the Commission adopt EDG's proposal to change current tariff language regarding Empire's passage of charges on to customers for actions or inactions of their suppliers, marketers or aggregators, or adopt MSBA's proposal to retain current tariff language until the Commission later reviews outcomes of pending federal court cases and Commission complaints and establishes parameters applicable to all Missouri Gas Corporation tariffs?

**EDG POSITION: The Commission should adopt EDG's proposal to change the current tariff language to clarify EDG's authority to pass charges on to customers for actions or inactions of their suppliers, marketers or aggregators. (See Earhart Rebuttal, pp. 5-6; Earhart Surrebuttal, pp. 3-4; Patterson Rebuttal, pp. 19-22)**

**WHEREFORE**, EDG respectfully submits its Position Statement for consideration by the Commission in this proceeding.

Respectfully submitted,

/s/ Diana C. Carter

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**ATTORNEYS FOR THE EMPIRE DISTRICT  
GAS COMPANY D/B/A LIBERTY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 20<sup>th</sup> day of April, 2022, to all counsel of record.

*/s/ James M. Fischer*

James M. Fischer