STATE OF MISSOURE COPY
PUBLIC SERVICE COMMISSION

session of the Public Service Commission held at its office in Jefferson City on the 15th day of October, 1993.

In the matter of the application of St. Joseph Light & Power Company for the issuance of an accounting order relating to its electrical, natural gas and industrial steam operations.

) Case No. E0-94-35

### ORDER APPROVING STIPULATION AND AGREEMENT

On July 30, 1993, St. Joseph Light & Power Company (SJLP) filed its Application seeking an accounting authority order regarding certain costs and expenses incurred by SJLP as a result of the flood conditions on the Missouri River and its tributaries in July and August, 1993. SJLP is a Missouri corporation engaged primarily in the production, transmission, distribution and sale of electrical energy in northwest Missouri, as well as supplying natural gas and industrial steam in limited areas. SJLP's principal office and place of business is located at 520 Francis Street, St. Joseph, Missouri 64501.

On August 17, 1993, the Office of Public Counsel (Public Counsel) filed a Request For Hearing. On October 7, 1993, SJLP, Public Counsel and the Commission's Staff (Staff) filed a joint Stipulation And Agreement with Public Counsel withdrawing its request for hearing. Also as part of the Stipulation And Agreement, incorporated herein by reference and attached hereto as Attachment A, SJLP withdrew its request for an accounting authority order pertaining to its natural gas and industrial steam operations in this matter. The parties request the Commission to take official notice, pursuant to 4 CSR 240-2.130(2), of the flood conditions in July and August, 1993, along the Missouri River in the service territory of SJLP. The parties state that in response to the flood conditions, SJLP has been required to spend considerable resources to protect its system from the flood waters and to continue uninterrupted electric service to its customers

to the extent possible. These expenditures include, but are not limited to:

(a) incremental costs of overtime for labor, (b) incremental costs of materials and supplies related to the flood, (c) incremental electric power costs at Iatan due to flood-related causal effects, and (e) loss of coal inventory at Iatan.

The parties, as a direct result of the alleged unusual extraordinary costs or expense, request the Commission to: (a) approve the Stipulation And Agreement, (b) authorize SJLP to account for the costs and expenses associated with the 1993 flood conditions by accumulating through March 31, 1994 (subject to true-up for insurance) on its books and records the extraordinary costs and expenses and lost inventory associated with the 1993 flood in Account 182.3, Miscellaneous Deferred Debits upon timely submission to Staff and Public Counsel for review, and (c) allow SJLP to amortize such costs to expense on its books ratably over a 60-month period beginning on November 1, 1993. The Stipulation And Agreement also requires SJLP to reflect in the deferral, its current estimate of any and all insurance proceeds received by SJLP related to the flood costs, and upon actual receipt of flood insurance proceeds, to immediately true up its booked deferral to accurately reflect the actual insurance proceeds received. The Stipulation And Agreement also reserves any and all ratemaking treatment of SJLP's deferral and amortization of such extraordinary expenses for SJLP's next general rate proceeding.

After considering the Application of SJLP and the Stipulation And Agreement, the Commission determines that it will take official notice of the flood conditions in July and August, 1993, along the Missouri River in the service territory of SJLP and conclude that the described costs, expenditures and loss of inventory, if prudently incurred, are extraordinary and material for SJLP's electric operations and are not now and have not been previously reflected in SJLP's electric rates. While not every flood can be construed as an extraordinary occurrence, the unprecedented July and August, 1993, flood along the

Missouri River and its tributaries certainly qualifies as an extraordinary natural disaster that led to unusual extraordinary costs and expenses for SJLP in its electric operations. Since these costs and expenditures have not previously been reflected in SJLP's electric rates, it is appropriate to grant SJLP an accounting authority order so that it can accumulate the extraordinary costs and expenses and lost inventory on its books (subject to true-up for insurance) and amortize such costs to expense on its books ratably over a 60-month period. This will allow the Commission to consider ratemaking treatment of SJLP's said deferred and amortized extraordinary expenses in SJLP's next general rate proceeding. Pursuant to Section 536.060, R.S.Mo. 1986, the Commission may approve a stipulation and agreement concluded among the parties as to any contested issues. The Commission has determined that the Stipulation And Agreement herein has appropriately addressed SJLP's costs, expenses, and loss of inventory related to the extraordinary 1993 flood along the Missouri River and its tributaries in SJLP's service area and, therefore, should be approved.

#### IT IS THEREFORE ORDERED:

- That the Stipulation And Agreement filed by the parties herein on October 7, 1993, be hereby approved and be incorporated herein by reference as Attachment A.
- 2. That St. Joseph Light & Power Company be hereby granted an accounting authority order to accumulate through March 31, 1994, (subject to true-up for insurance) on its books and records the extraordinary costs and expenses and lost inventory associated with the July and August, 1993, flood as it affected its service area in Account 182.3, Miscellaneous Deferred Debits.
- 3. That St. Joseph Light & Power Company submit such charges as ordered accounted for in Paragraph 2 hereof to the Commission's Staff and the Office of Public Counsel in a timely manner for their review.

4. That St. Joseph Light & Power Company be allowed to amortize the charges ordered accounted for in Paragraph 2 hereof to expense on its books ratably over a sixty (60) month period beginning on November 1, 1993.

5. That St. Joseph Light & Power Company shall reflect its current estimate of any and all insurance proceeds received by it related to the charges ordered accounted for in Paragraph 2 hereof in the ordered deferral, and at such time as it actually receives insurance proceeds related to the said charges, St. Joseph Light & Power Company shall immediately true up its booked deferral to accurately reflect the actual proceeds received.

6. That nothing in this order shall be considered as a finding of the Commission of the reasonableness of the deferral and amortization of any extraordinary costs, expenses, or lost inventory herein involved, or of the value for ratemaking purposes of any properties herein involved, or as an acquiescence in the value placed upon any properties by St. Joseph Light & Power Company; and the Commission reserves the right to consider the ratemaking treatment to be afforded the deferral and amortization of any extraordinary costs, expenses, or lost inventory, and their resulting cost of capital, in any later proceeding.

7. That this order shall become effective on the 26th day of October, 1993.

BY THE COMMISSION

David L. Rauch Executive Secretary

(SEAL)

McClure, Perkins and Crumpton, CC., concur. Mueller, Chm., and Kincheloe, C., absent.

# BEFORE THE PUBLIC SERVICE COMMISSION FILED

OCT - 7 1993

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In the matter of the application of St.
Joseph Light & Power Company for the
issuance of an accounting order relating
to its electrical, natural gas and
industrial steam operations.

MISSOURI PUBLIC SERVICE COMMISSION

Case No. EO-94-35

## STIPULATION AND AGREEMENT

On July 30, 1993, St. Joseph Light & Power Company (SJLP) filed its Application with the Missouri Public Service Commission (Commission) seeking an accounting authority order regarding certain costs and expenses incurred by SJLP as a result of the flood conditions on the Missouri River and its tributaries in July and August, 1993.

The Commission Staff (Staff) and the Office of the Public Counsel (OPC) have reviewed the Application, met with SJLP representatives, and have further investigated the circumstances recited in the Application. As a result of the foregoing, the parties stipulate and agree as follows:

1. SJLP is a Missouri corporation engaged primarily in the production, transmission, distribution and sale of electrical energy in Northwest Missouri, as well as supplying natural gas and industrial steam in limited areas, all subject to the jurisdiction of the Commission. SJLP's principal office and place of business is located at 520 Francis Street, St. Joseph, Missouri 64501.

- 2. The parties request the Commission to take official notice, pursuant to 4 CSR 240-2.130(2), of the flood conditions in July and August, 1993, along the Missouri River in the service territory of SJLP.
- 3. In response to said flood conditions, SJLP has been required to expend considerable resources to protect its systems from the flood waters and to continue to provide uninterrupted electric service to its customers to the extent possible. Said expenditures, resources and resulting causes include, but are not limited to:
  - (a) Incremental cost of overtime and temporary help necessary to protect by sandbag and other means certain essential equipment;
  - (b) Incremental costs of other materials and supplies related to the flood, such as pump rentals, sand bags, drinking water, portable restrooms and maintenance materials required to maintain and restore services in flood affected areas;
  - (c) Incremental electric power supply costs because SJLP's most efficient electric generating unit, at Iatan, was not available as a source of electrical energy for portions of July and August, 1993;
  - (d) Incremental fuel and non-fuel costs incurred at Iatan as a result of flood damage to the road entrance to plant, to sections of the railroad track and to rail cars used to supply the plant with coal. The fuel costs include the cost to truck coal to Iatan from Kansas City Power and Light Company's Hawthorn station. The non-fuel costs include the cost to repair the road to the plant, rail bed, railroad tracks, rail cars, etc.; and
  - (e) Loss of coal inventory at Iatan.

- 4. In setting rates for regulated public utilities, the Commission does not include an allowance for possible unusual extraordinary costs or expenses related to future acts of God or natural disasters.
- 5. The above-described expenditures and loss of inventory are extraordinary and material for SJLP's electric operations, and are not now and have not been previously reflected in SJLP's electric rates.
- 6. The OPC hereby withdraws its request for hearing in this matter, and SJLP hereby withdraws its request for accounting authority orders pertaining to its natural gas and industrial steam operations in this matter. The parties recommend that:
  - (a) The Commission issue an Order in this docket which approves this Stipulation and Agreement and authorizes SJLP to account for the costs and expenses associated with the 1993 flood conditions in conformance with the terms of this Stipulation and Agreement;
  - (b) SJLP accumulate through March 31, 1994, (subject to true-up for insurance) on its books and records the extraordinary costs and expenses and lost inventory associated with the recent flooding in Account 1823, Miscellaneous Deferred Debits and SJLP agrees to submit such charges to the Staff and OPC in a timely manner for their review;
  - (c) SJLP amortize such costs to expense on its books ratably over a 60 month period beginning on November 1, 1993;
  - (d) The deferral should reflect SJLP's current estimate of any and all insurance proceeds received by SJLP related to the costs described above. At such time that SJLP actually receives insurance proceeds related to the costs described, SJLP shall immediately true-up its booked

deferral to accurately reflect the actual insurance proceeds received; and

- (e) The Commission should specifically reserve any and all ratemaking treatment of SJLP's deferral and amortization of such extraordinary expenses for SJLP's next general rate proceeding.
- 7. None of the Signatories shall be prejudiced or bound in any manner by the terms of this Stipulation and Agreement in any other proceeding, except as otherwise specified herein.
- 8. None of the Signatories shall be deemed to have approved or acquiesced in any ratemaking principle or any method of cost determination or cost allocation underlying or allegedly underlying the Stipulation and Agreement.
- 9. The Staff shall have the right to submit to the Commission a memorandum explaining its rationale for entering into this Stipulation and Agreement and to provide the Commission whatever further explanation the Commission requests. The Staff's memorandum shall not become a part of the record of this proceeding. Regardless of whether the Commission approves the Stipulation and Agreement, the memorandum shall not bind or prejudice the Staff in any future proceeding. Any rationales advanced by the Staff in such a memorandum are its own and are not acquiesced in or otherwise adopted by the other Signatories.
- 10. If the Commission accepts and approves the terms of this Stipulation and Agreement, the Signatories waive their respective rights to present further evidence herein and to present oral argument and written briefs, and their respective rights to judicial review pursuant to Section 386.510 RSMo 1986.

## ST. JOSEPH LIGHT & POWER COMPANY

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## STATE OF MISSOURI

## OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 15th day of October , 1993.

David L. Rauch Executive Secretary

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