

Exhibit No.: _____
Witness: Teresa Villanueva
Type of Exhibit: Rebuttal
Sponsoring Party: Missouri Gas Energy
Case No.: GC-2001-593
Date Prepared: December 19, 2001

MISSOURI PUBLIC SERVICE COMMISSION

FILED³

DEC 21 2001

CASE NO. GC-2001-593

**Missouri Public
Service Commission**

REBUTTAL TESTIMONY OF

TERESA VILLANUEVA

ON BEHALF OF

MISSOURI GAS ENERGY

Jefferson City, Missouri

December 19, 2001

REBUTTAL TESTIMONY OF TERESA VILLANUEVA

CASE NO. GC-2001-593

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1 **Q. PLEASE STATE YOUR NAME AND OCCUPATION?**

2 A. My name is Teresa Villanueva.

3

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am a Transportation Specialist with Missouri Gas Energy ("MGE").

6

7 **Q. PLEASE SUMMARIZE YOUR PAST EMPLOYMENT HISTORY WITH**
8 **MGE.**

9 A. I have been in my current position of Transportation Specialist since 1996. Before
10 that I spent 12 years in customer service.

11

12 **Q. PLEASE GENERALLY DESCRIBE THE DUTIES OF YOUR POSITION.**

13 A. As Transportation Specialist, I am responsible for the coordination of large volume
14 services including transportation services, large volume billing, large volume credit
15 and collection.

16

17 **Q. ARE YOU FAMILIAR WITH A COMPLAINT FILED ON APRIL 20, 2001 AT**
18 **THE MISSOURI PUBLIC SERVICE COMMISSION BY TXU ENERGY**

1 **SERVICES INC. AND SCHREIBER FOODS, INC. AGAINST MISSOURI**
2 **GAS ENERGY (MGE)?**

3 A. In a limited manner, yes. I have read the complaint and I have read MGE's answer to
4 the complaint and I have been involved in the case since it was filed.

6 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

7 A. I am providing factual testimony about what I did in terms of trying to alert Schreiber
8 Foods to the fact that no nomination was made for its Mount Vernon, Missouri plant
9 for July 2000. I will respond to the pre-filed direct testimony of Mark Wolf on behalf
10 of TXU Energy Services (TXUES) and Edward Mars on behalf of Schreiber Foods,
11 Inc. (Schreiber) in connection with allegations about what I did or did not do in July
12 2000.

13 **Q. WHAT IS YOUR UNDERSTANDING OF THE GENERAL NATURE OF THE**
14 **COMPLAINT?**

15 A. My understanding is that TXUES and Schreiber are complaining about MGE sending
16 a bill to Schreiber for unauthorized usage because no gas was nominated for
17 Schreiber's Mount Vernon facility in July 2000. They generally complain that MGE
18 should have provided more notice than it did, including sending Schreiber a bill every
19 day. They ask that the Commission issue an order "invalidating the penalty charge"
20 on the last page of the complaint.

22 **Q. IS IT A PART OF YOUR JOB TO CHECK ON THE NOMINATIONS MADE**
23 **EACH MONTH BY MGE'S TRANSPORTATION CUSTOMERS?**

1 A. It is a duty of the department.

2

3 **Q. PLEASE EXPLAIN HOW YOU DO THAT?**

4 A. At approximately midmonth a report is generated internally at MGE to identify those
5 customers that have a zero nomination. An attempt to contact the customers is made
6 from the contact list provided by the customer. I will suggest the customer contact
7 their marketer/shipper or their supplier to submit a nomination for their facility before
8 month-end to avoid being billed at the default sales rate and incurring unauthorized
9 use charges.

10

11 **Q. ARE YOU FAMILIAR WITH THE PROCESS THAT TRANSPORTATION**
12 **CUSTOMERS FOLLOW IN ORDER TO MAKE A NOMINATION ON THE**
13 **WILLIAMS PIPELINE?**

14 A. Yes.

15

16 **Q. COULD YOU PLEASE EXPLAIN WHAT THAT ENTAILS?**

17 A. A customer's marketer/broker contacts Williams on their electronic bulletin board
18 (EBB) and places a nomination for the customer.

19

20 **Q. WHAT DID YOU DO WITH REGARD TO CHECKING ON THE**
21 **SCHREIBER NOMINATIONS IN JULY 2000?**

22 A. I checked the Williams website. There is a place on there called a "LDC
23 Confirmation Report" which shows what nominations have been made. When I

1 realized that a nomination was not in place for Schreiber at its Mount Vernon plant, I
2 placed courtesy calls to Schreiber from contact listings provided to MGE by
3 Schreiber. The individuals contacted were no longer with the company so I left a
4 message that a nomination was not in place for the Mount Vernon facility and that
5 this was needed in order to prevent penalties from being charged. During the process
6 of attempting to contact someone at Schreiber, I was directed to contact a Ralph
7 McClury. I did contact Mr. McClury. I informed him of the zero nomination then in
8 place and the unauthorized use charges that would result if a nomination were not
9 made by the end of the month. I also explained to him that he needed to contact his
10 marketer/supplier/shipper and inform them of the need for a nomination. I also
11 suggested he contact someone at the other Schreiber Plant in Carthage to determine
12 who was entering the nominations for the facility.

13
14 **Q. IS THAT ALL YOU DID?**

15 A. No, it is not. In addition to those conversations, I talked to Ms. Lytle at Williams
16 Natural Gas Pipeline. She gave me the name of a contact person at TXUES that
17 Williams listed for Schreiber Foods. His name was Evan Moore. I talked to Mr.
18 Moore prior to July 31, 2000 and explained to him that a nomination was not in place
19 for one of Schreiber's locations and that it was up to him to correct the problem. Mr.
20 Moore told me he knew what he was doing and that he would take care of it.

1 **Q. IN THE ANSWER THAT MGE FILED IN THIS CASE ON JUNE 7, 2000, IT**
2 **SAYS THAT YOU TALKED WITH SOMEONE NAMED "ERIC" AT TXUES.**
3 **IS THAT CORRECT?**

4 **A.** The answer said that, and at the time, I thought I remembered that the person's name
5 was Eric. After further investigation, it has been confirmed that the person's name
6 was Evan. Evan Moore. TXUES has provided MGE with documents saying that
7 Evan Moore was the name of the person who was supposed to enter the nomination
8 for Schreiber on the Williams electronic bulletin board. I just had the name wrong
9 earlier.

10
11 **Q. COULD YOU HAVE MADE THE NOMINATION FOR SCHREIBER IN**
12 **JULY 2000 IF YOU HAD WANTED TO?**

13 **A.** No. MGE cannot input data into Williams' database for the customers. It is a
14 "secure" internet site from the standpoint that you have to have a password to be able
15 to make the nominations. We do not have the passwords for the customers.

16
17 **Q. TXUES HAS ALSO PROVIDED A DOCUMENT TO MGE IN DISCOVERY**
18 **IN THIS CASE (RESPONSE TO DATA REQUEST NO. 26A) WHICH SAYS**
19 **THAT "MARK WOLF AND EVAN MOORE WERE THE ONLY**
20 **EMPLOYEES INVOLVED IN THE NOMINATION IN QUESTION. BOTH**
21 **MR. WOLF AND MR. MOORE INDICATE THAT NO ONE FROM MGE**
22 **CONTACTED THEM REGARDING THE LACK OF NOMINATION AND, IF**

1 **THEY HAD, THEY WOULD HAVE IMMEDIATELY LOOKED INTO THE**
2 **MATTER.” DO YOU AGREE WITH THAT STATEMENT?**

3 A. No. I had a conversation with Mr. Moore about the lack of a nomination at one of the
4 Schreiber locations. At the time of answering the complaint I mistakenly
5 remembered his name as “Eric”.

6
7 Q. **TXUES HAS ALSO INDICATED IN A DOCUMENT PROVIDED TO MGE IN**
8 **DISCOVERY (RESPONSE TO DATA REQUEST NO. 29) THAT**
9 **NOMINATIONS MADE ON THE WILLIAMS WEBSITE SHOW UP ON**
10 **SOMETHING CALLED A “SHIPPERS VERIFICATION REPORT”. CAN**
11 **MGE ACCESS THE TXU OR SCHREIBER “SHIPPERS VERIFICATION**
12 **REPORT” ON THE WILLIAMS WEBSITE?**

13 A. No. MGE can only access reports where MGE is the shipper.

14
15 Q. **DID YOU EVER SEE A NOMINATION FOR THE MOUNT VERNON**
16 **PLANT ON THE WILLIAMS’ WEBSITE DURING JULY 2000?**

17 A. No, I did not.

18
19 Q. **TO YOUR KNOWLEDGE, DOES THE WILLIAMS WEBSITE PRODUCE**
20 **ANY KIND OF NOTICE TO A TRANSPORTATION CUSTOMER THAT IT**
21 **HAS NOT MADE A NOMINATION?**

22 A. If it does, I am not aware of it.

- 1 Q. DOES THAT COMPLETE YOUR PREPARED REBUTTAL TESTIMONY AT
2 THIS TIME?
3 A. Yes it does.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

TXU Energy Services, Inc., and
Schreiber Foods, Inc.
Complainants,

v.

Missouri Gas Energy, a Division of
Southern Union Company,
Respondent.

Case No. GC-2001-593


AFFIDAVIT OF TERESA A. VILLANUEVA

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

Teresa A. Villanueva, of lawful age, on her oath states: that she has participated in the preparation of the foregoing Rebuttal Testimony in question and answer form, to be presented in the above case; that the answers in the foregoing Rebuttal Testimony were given by her; that she has knowledge of the matters set forth in such answers; and that such matters are true and correct to the best of her knowledge and belief.


TERESA A. VILLANUEVA

Subscribed and sworn to before me this 16th day of December 2001.


Notary Public

KIMBERLY D. LAMBERT
Notary Public - State of Missouri
County of Platte

My Commission Expires: My Commission Expires May 26, 2003