

**Exhibit No.:** \_\_\_\_\_  
**Issue(s):** Weather Normalization Adjustment Rider  
**Witness/Type of Exhibit:** Mantle/Direct  
**Sponsoring Party:** Public Counsel  
**Case No.:** GR-2024-0106

**DIRECT TESTIMONY**

**OF**

**LENA M. MANTLE**

Submitted on Behalf of the Office of the Public Counsel

**LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP.  
D/B/A LIBERTY UTILITIES'**

CASE NOS. GR-2024-0106

July 18, 2024

**DIRECT TESTIMONY**

**OF**

**LENA M. MANTLE**

**LIBERTY UTILITIES (MIDSTATES NATURAL GAS) CORP.**

**d/b/a LIBERTY**

**CASE NO. GR-2024-0106**

1 **Q. Please state your name and business address.**

2 A. My name is Lena M. Mantle and my business address is P.O. Box 2230, Jefferson  
3 City, Missouri 65102. I am a Senior Analyst for the Office of the Public Counsel  
4 (“OPC”).

5 **Q. Please briefly describe your experience and your qualifications.**

6 A. I have been employed by the OPC in my current position since August 2014. In  
7 this position, I have provided testimony and support in electric, natural gas, and  
8 water cases for the Public Counsel. Prior to my employment for the OPC, I  
9 worked for the Staff of the Missouri Public Service Commission (“Staff”) from  
10 August 1983 until I retired in December 2012. During the time that I was  
11 employed at the Missouri Public Service Commission (“Commission”), I worked  
12 as an Economist, Engineer, Engineering Supervisor and Manager of the Energy  
13 Department.

14 Attached as Schedule LMM-D-1 is a brief summary of my experience  
15 with OPC and Staff along with a list of the Commission cases in which I filed  
16 testimony, Commission rulemakings in which I participated, and Commission  
17 reports to which I contributed. I am a Registered Professional Engineer in the  
18 State of Missouri.

19 **Q. Do you have a recommendation for the Commission?**

20 A. Yes. I recommend the Commission discontinue the Weather Normalization  
21 Adjustment Rider (“WNAR”) of Liberty Utilities (Midstates Natural Gas) Corp.  
22 d/b/a Liberty (“Midstates”).

1 **Q. Why should the Commission discontinue Midstates' WNAR?**

2 A. Midstates currently has effective tariff sheets implementing a WNAR. In this rate  
3 case it has filed proposed tariff sheets with changes to its WNAR. However,  
4 Midstates has not filed testimony requesting the Commission allow it to continue  
5 or modify its WNAR or even explaining the modifications it is requesting to its  
6 current WNAR. Midstates simply filed proposed tariff sheets with changes to  
7 how the WNAR would be calculated.

8 **Q. Is Midstates required to file to continue or modify its WNAR?**

9 A. Yes. Section 386.266 RSMo is the statute that allows Midstates to request the  
10 Commission's approval of a WNAR.<sup>1</sup> In particular, Section 386.266.3 RSMo  
11 states:

12 Subject to the requirements of this section, any gas or electrical  
13 corporation may make an application to the commission to approve  
14 rate schedules authorizing periodic rate adjustments outside of  
15 general rate proceedings to adjust rates of customers in eligible  
16 customer classes to account for the impact on utility revenues of  
17 increases or decreases in residential and commercial customer  
18 usage due to variations in either weather, conservation, or both.  
19 For purposes of this section: for electrical corporations, "eligible  
20 customer classes" means the residential class and classes that are  
21 not demand metered; and for gas corporations, "eligible customer  
22 classes" means the residential class and the smallest general  
23 service class. As used in this subsection, "revenues" means the  
24 revenues recovered through base rates, and does not include  
25 revenues collected through a rate adjustment mechanism  
26 authorized by this section or any other provisions of law.<sup>2</sup>

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<sup>1</sup> While I am not an attorney, I do have extensive experience with the implementation of the rate adjustment mechanisms enabled by Section 386.266.

<sup>2</sup> The remainder of this subsection, 386.266.3 RSMo, applies only to electric utilities. It is as follows:  
This subsection shall apply to electrical corporations beginning January 1, 2019, and shall expire for electrical corporations on January 1, 2029. An electrical corporation may make a one-time application to the commission under this subsection if such corporation has provided notice to the commission under subsection 5 of section 393.1400, provided the corporation shall not concurrently utilize electric rate

1           However, having a WNAR does not necessarily mean that a gas utility can  
2           modify the WNAR at its will. Section 386.266.5 RSMo states:

3                     The commission shall have the power to approve, modify, or reject  
4                     adjustment mechanisms submitted under subsections 1 to 4 of this  
5                     section only after providing the opportunity for a full hearing in a  
6                     general rate proceeding, including a general rate proceeding  
7                     initiated by complaint. The commission may approve such rate  
8                     schedules after considering all relevant factors which may affect  
9                     the costs or overall rates and charges of the corporation, provided  
10                    that it finds that the adjustment mechanism set forth in the  
11                    schedules[.]

12                    (Emphasis added)

13           Midstates did not request from the Commission a continuation of its WNAR.  
14           Midstates did not explain to the Commission why its WNAR needed  
15           modification. It simply filed proposed changes to its tariff sheets that implement  
16           its WNAR. For this reason, I am recommending the Commission discontinue  
17           Midstates WNAR on the effective date of the rates resulting from this general rate  
18           case.

19   **Q. Do you have any other concerns with the WNAR?**

20   A. Yes. Section 386.266.13 includes the following Commission requirement prior to  
21           the authorization of a WNAR.

22                    The provisions of subsections 1 to 3 of this section shall take effect  
23                    on January 1, 2006, and the commission shall have previously  
24                    promulgated rules to implement the application process for any  
25                    rate adjustment mechanism under subsections 1 to 3 of this section  
26                    prior to the commission issuing an order for any such rate  
27                    adjustment.

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adjustments under this subsection and the deferrals set forth in subsection 5 of section  
393.1400.

1            This subsection plainly states that the Commission cannot grant a WNAR as  
2            allowed by subsection 3 until it has rules promulgated implementing the WNAR.  
3            I am not aware that any such rule exists.

4            **Q.    Do rules exist for subsections 1 and 2 of section 386.266?**

5            A.    Yes.    20 CSR 4240-20.090 Fuel and Purchased Power Rate Adjustment  
6            Mechanisms implements subsection 1.    20 CSR 4240-20.091 Electric Utility  
7            Environmental Cost Recovery Mechanisms implements subsection 2 for electric  
8            utilities.

9            **Q.    Does this conclude your direct testimony?**

10          A.    Yes, it does.

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


In the Matter of the Request of Liberty Utilities            )  
(Midstates Natural Gas) Corp. d/b/a Liberty to            )  
Implement a General Rate Increase for Natural            )     Case No. GR-2024-0106  
Gas Service in the Missouri Service Areas of the            )  
Company    )

**AFFIDAVIT OF LENA M. MANTLE**

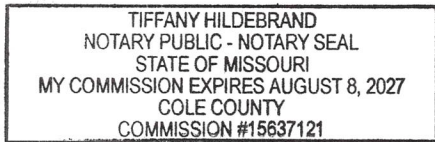
**STATE OF MISSOURI**    )  
  )    ss  
**COUNTY OF COLE**        )

Lena M. Mantle, of lawful age and being first duly sworn, deposes and states:

1.     My name is Lena M Mantle. I am a Senior Analyst for the Office of the Public Counsel.
2.     Attached hereto and made a part hereof for all purposes is my direct testimony.
3.     I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Lena M. Mantle  
Senior Analyst

Subscribed and sworn to me this 18<sup>th</sup> day of July 2024.



My Commission expires August 8, 2027.

  
\_\_\_\_\_  
Tiffany Hildebrand  
Notary Public