

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Summit Natural Gas of Missouri Inc., for Certificates of Convenience and Necessity to Construct, Install, Own, Operate, Maintain, and Otherwise Control and Manage Natural Gas Lines to Provide Gas Service in Certain Areas of Laclede and Webster Counties in Conjunction with its Existing Certificated Areas )  
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) **File No. GA-2020-0251**  
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## ORDER DIRECTING NOTICE, SETTING DEADLINE FOR INTERVENTION REQUESTS, AND DIRECTING FILING OF STAFF RECOMMENDATION

Issue Date: February 24, 2020

Effective Date: February 24, 2020

On February 20, 2020, Summit Natural Gas of Missouri Inc. (the Company), filed the above-referenced application. The application seeks, among other things, permission and approval and two certificates of convenience and necessity (CCN) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in areas of Laclede and Webster Counties, Missouri, in conjunction with the Company's existing certificated areas in those counties. The Company also seeks waiver of the Commission rules' 60-day notice of case filing requirement.

The Commission will direct notice of the application be given to the Laclede and Webster County Commissions, local newspapers, and members of the General Assembly representing residents of Laclede and Webster Counties. The Commission will set a deadline for interested parties to intervene. The Commission will also direct its Staff to file a recommendation with regard to the application.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall provide a copy of this order and the Application to the County Commissions of Laclede and Webster Counties, Missouri.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the General Assembly representing Laclede or Webster County and to the media serving those counties.
3. Any person wishing to intervene in this matter shall file an application to intervene no later than March 15, 2020. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission. Comments on the Application may also be made in EFIS.
4. No later than April 24, 2020, the Staff of the Missouri Public Service Commission shall file either a recommendation regarding Summit Natural Gas of Missouri Inc.'s application for a Certificate of Convenience and Necessity, or a status report indicating when such recommendation will be filed.
5. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Charles Hatcher, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 388.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on the 24<sup>th</sup> day of February, 2020.

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

In the Matter of the Application of Summit Natural Gas       )  
of Missouri Inc., for Certificates of Convenience and       )  
Necessity to Construct, Install, Own, Operate, Maintain,       )  
and Otherwise Control and Manage Natural Gas Lines to       )       File No. \_\_\_\_\_  
Provide Gas Service in certain areas of Laclede and       )  
Webster Counties in Conjunction with its Existing       )  
Certificated Areas       )

**APPLICATION FOR CERTIFICATES OF CONVENIENCE AND NECESSITY  
AND MOTION FOR WAIVER**

**COMES NOW** Summit Natural Gas of Missouri, Inc. (“SNGMO” or the “Company”), by and through its undersigned counsel, and, pursuant to RSMo. §393.170 and Commission Rules 20 CSR 4240-2.060, 20 CSR 4240-3.205, and 20 CSR 4240-4.017, requests permission and approval and certificates of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage natural gas lines to provide gas service in Laclede and Webster Counties, Missouri, in conjunction with its existing certificated areas. In support thereof, SNGMO respectfully states as follows to the Missouri Public Service Commission (“Commission”):

**APPLICANT**

1.       The Company is a wholly owned subsidiary of Summit LDC Holdings, LLC, which is a wholly-owned subsidiary of Summit Utilities, Inc. The Company is a corporation duly incorporated under the laws of the State of Colorado, with its principal offices located at 10825 E. Geddes Avenue, Suite 410, Centennial, CO 80112.

2.       The Company conducts business as a “gas corporation” and a “public utility” as those terms are defined at §386.020, RSMo, and provides natural gas service in the Missouri counties of Benton, Caldwell, Camden, Daviess, Douglas, Greene, Harrison, Howell, Laclede,

Miller, Morgan, Pettis, Stone, Taney, Texas, Webster, and Wright, subject to the jurisdiction of the Commission as provided by law. Other than cases that have been docketed at the Commission, SNGMO has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates. SNGMO has no annual report or assessment fees that are overdue.

3. All correspondence, communications, notices, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and:

Matthew Kaply  
Sr. Director Legislative and Regulatory Affairs  
Summit Utilities Inc.  
2 Delorme Ave  
Yarmouth, ME 04096  
Telephone: 207-621-8000, ex. 1430  
Email: mkaply@summitnaturalgas.com

Tyler Davis  
Supervisor, Regulatory Affairs  
Summit Utilities, Inc.  
2 Delorme Ave  
Yarmouth, ME 04096  
Telephone: 207-781-1200, ex. 1570  
Email: tdavis@summitutilitiesinc.com

#### **CCN APPLICATION**

4. The requested CCNs are a part of a system upgrade designed to provide a long-term solution to the pressure and capacity issues encountered on the Rogersville system. The system upgrade will also allow for continued growth on the Rogersville System and is expected to reduce current operations and maintenance expenses. The upgrade will consist of three phases:

- Phase I: Install compression at Williams Tap (3,000 feet of 12" steel mainline; 3,000 of 8" steel mainline, and 2 mainline compressors);
- Phase II: Install transmission bypass around Lebanon (27,500 feet of 8" steel

mainline; 10,000 feet of 8" HDPE; and 2 regulator stations); and,

- Phase III: Install larger pipeline b/w Diggins & Marshfield 70,000 feet of 8" steel mainline; 1 launcher and 1 receiver station).

5. Portions of the system upgrade will be constructed within SNGMO's existing certificated service area. However, two segments of line must be constructed in territory adjacent to, but not within, SNGMO's existing service territory in Laclede and Webster Counties. It is those areas for which SNGMO seeks CCNs.

6. SNGMO seeks a service area CCN for the area in Laclede County described as follows: Township 34 North, Range 16 West, Sections 21, 27, and 28; and depicted on the map attached hereto as **Appendix A**. SNGMO seeks a service area CCN for the area in Webster County described as follows: Township 29 North, Range 17 West, Sections 6, 7, 16 and 17; and depicted on the map attached hereto as **Appendix B**.

7. There are ten or more residents or landowners in the Laclede County area, and, as such, pursuant to Rule 20 CSR 4240-3.205(1)(A)(2), a listing of the names and addresses of ten landowners in that requested service area is attached hereto as **Appendix C - Confidential**. There are ten or more residents or landowners in the Webster County area, and, as such, pursuant to Rule 20 CSR 4240-3.205(1)(A)(2), a listing of the names and addresses of ten landowners is attached hereto as **Appendix D - Confidential**. Appendices C and D have been identified as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)1 because they contain information relating directly to specific customers.

8. As stated above, the primary purpose of this system upgrade is to address pressure and capacity issues, as well as to provide for future growth. However, there are potential customers in each of the requested CCN areas to which SNGMO may provide service and,

thereby, mitigate some of the costs associated with the upgrade by providing off setting revenues. It is for this reason that SNGMO is requesting CCNs for service areas, rather than line certificates.

9. A feasibility study containing plans and specifications for the system upgrade, the estimated cost of construction, and an estimate of the number of customers, revenues, and expenses for service to the area for the first three years of operations is attached hereto as **Appendix E1 E2, and E3 - Confidential**. This appendix has been identified as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)5 because it contains confidential business information.

10. The project will be financed by a combination of equity and debt utilizing the Company's existing line-of-credit revolver.

11. SNGMO holds all necessary franchises and permits from municipalities, counties, or other authorities that are required for SNGMO to serve the areas.

12. The rates for the proposed area will be those currently approved and in effect for services provided in SNGMO's adjacent certificated territories under SNGMO's existing tariff. SNGMO plans to use the general terms and conditions of service found in SNGMO's currently approved tariffs.

13. The areas SNGMO proposes to certificate will, in the first instance, allow it to provide improved service to the Rogersville system. Further, those areas also have a need for a natural gas system and otherwise have no natural gas service available. SNGMO's experience in the operation of natural gas systems gives it the ability to provide this service in an efficient manner. For these reasons, a grant of the application will further the public convenience and necessity.

## MOTION FOR WAIVER

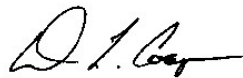
14. Commission Rule 20 CSR 4240-4.017(1) provides that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.” No such notice was filed herein. As such, SNGMO seeks a waiver of the 60-day notice requirement.

15. Commission Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. In this regard, SNGMO declares (as verified below) that they have had no communication with the Office of the Commission (as defined in Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case. Additionally, the area is in need of gas service, and a delay in filing this Application would delay construction and the ultimate provision of service

WHEREFORE, SNGMO requests, for good cause shown, that the Commission waive the notice requirement of 20 CSR 4240-4.017(1), approve this Application, and issue CCNs to SNGMO as set forth above. SNGMO requests such other and further relief as is just and proper under the circumstances.

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Dean L. Cooper MBE #36592  
312 E. Capitol Avenue; P. O. Box 456  
Jefferson City, MO 65102  
Phone: (573) 635-7166  
E-Mail: [dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

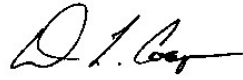
ATTORNEYS FOR SUMMIT NATURAL  
GAS OF MISSOURI, INC.

## CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following counsel this 21<sup>st</sup> day of February, 2020:

General Counsel's Office  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

Office of the Public Counsel  
[opc@ded.mo.gov](mailto:opc@ded.mo.gov)



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AFFIDAVIT

State of Maine )

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County of Cumberland )

I, Matthew Kaply, having been duly sworn upon my oath, state that I am the Senior Director Regulatory Affairs and Rates of Summit Natural Gas of Missouri, Inc. (SNGMO), that I am duly authorized to make this affidavit on behalf of SNGMO, that the matters and things stated in the foregoing application and appendices thereto are true and correct of the best of my information, knowledge and belief. Additionally, no representative of SNGMO has had any communication with the office of the Missouri Public Service Commission as defined in Commission Rule 20 CSR 4240-4.015(10), within the immediately preceding 150 days regarding the subject matter of this Application.



Subscribed and sworn before me this 21<sup>st</sup> day of February, 2020.

  
Notary Public

My Commission Expires 5-8-2026



**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 24<sup>th</sup> day of February 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 24, 2020**

**File/Case No. GA-2020-0251**

**Missouri Public Service  
Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opc@psc.mo.gov

**County of Laclede, Missouri**

County Commission Clerk  
200 N. Adams Ave.  
Laclede County Government  
Center  
Lebanon, MO 65536

**County of Webster, Missouri**

County Commission Clerk  
101 S. Crittendon St., Rm. 11  
Webster County Courthouse  
Marshfield, MO 65706

**Summit Natural Gas of  
Missouri, Inc.**

Dean L Cooper  
312 East Capitol  
P.O. Box 456  
Jefferson City, MO 65102  
dcooper@brydonlaw.com

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.