

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 24th
day of May, 2017.

In the Matter of the Application of Summit Natural Gas)
Of Missouri Inc., for Permission and Approval and a)
Certificate of Convenience and Necessity to Construct,) **File No. GA-2017-0016**
Install, Own, Operate, Maintain, and Otherwise Control)
And Manage a Natural Gas Distribution System to)
Provide Gas Service in Various Counties as an)
Expansion of its Existing Certificated Areas.)

**ORDER APPROVING SECOND AMENDED PARTIAL
STIPULATION AND AGREEMENT**

Issue Date: May 24, 2017

Effective Date: June 23, 2017

On May 9, 2017, Summit Natural Gas of Missouri, Inc. (“Summit” or the “Company”), and the Staff of the Missouri Public Service Commission (“Staff”) submitted for the Commission’s approval a *Second Amended Partial Stipulation and Agreement* (the “Second Agreement”). The Second Agreement replaces an *Amended Partial Stipulation and Agreement* that was rejected by the Commission on May 3, 2017.

Summit is a “gas corporation”¹ subject to the Commission’s jurisdiction. In the Second Agreement, the Company acknowledges that without the Commission’s prior approval it constructed and installed gas plant used to provide utility service. Summit also acknowledges that it served and billed one hundred and sixty customers for utility service outside the boundary of its certificated area.² These actions violated the statutory requirements of Sections 393.170, 393.130, and 393.140, RSMo 2016.

¹ Section 386.020(18), RSMo 2016.

² On April 13, 2017, the Commission issued an order in GA-2017-0016 granting a Certificate of Convenience and Necessity to Summit that covers the area at issue in the Second Agreement.

Under the terms of the Second Agreement, Summit agrees to pay the sum of seventy-five thousand dollars to the Public School Fund of the State of Missouri. An initial payment of fifteen thousand dollars shall be made within a week of the effective date of a Commission order approving the Second Agreement. Summit will then make annual payments of fifteen thousand dollars for the next four years. Summit agrees not to seek recovery of the seventy-five thousand dollars in rates. In return, Staff agrees not to seek or support the imposition of penalties against the Company.

While not a signatory, the Office of the Public Counsel does not oppose the terms of the Second Agreement. Commission Rule 4 CSR 240-2.080(13) allows parties to submit a response to a filing within ten days. More than ten days have passed since the Second Agreement was filed and no responses were submitted. The Commission will therefore evaluate the unopposed agreement. Finding it to be a reasonable resolution of the issues identified by the parties, the Commission will approve the Second Agreement.

THE COMMISSION ORDERS THAT:

1. The *Second Amended Partial Stipulation and Agreement*, filed on May 9, 2017, is approved as a resolution of the issues addressed in that agreement. The signatories are ordered to comply with the terms of the stipulation and agreement.

2. This order shall become effective on June 23, 2017.

3. This file shall close on August 25, 2017.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Burton, Senior Regulatory Law Judge.