

In the Matter of Liberty Utilities (Midstates )  
Natural Gas) Corp.’s Fuel Costs Related to the ) Case No. GU-2021-0276  
Extraordinary Weather Event of February 2021 )

COMES NOW Liberty Utilities (Midstates Natural Gas) Corp. (“Midstates”), and submits this Objection to Symmetry’s Application to Intervene. In this regard, Midstates respectfully states as follows to the Missouri Public Service Commission (the “Commission”):

2. As its stated reasons for intervention, Symmetry asserts: “As part of its AAO request, Liberty has proposed determining the cost of the natural gas used during Winter Storm Uri. This determination is also the subject of litigation in GC-2022-0062.” Both of these statements by Symmetry are factually inaccurate and thus serve no basis for the granting of Symmetry’s intervention request.

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4. The inaccuracy of Symmetry's second assertion is even more significant. The case referenced by Symmetry (GC-2022-0062) is a complaint case filed by Symmetry against a different company than the company at issue in this docket - The Empire District Gas Company ("EDG"). Any determinations to be made in the EDG complaint case have nothing to do with Midstates' cost of gas. Additionally, Symmetry's complaint case against EDG is not about a determination of EDG's cost of gas. It is about whether EDG's tariff governs Symmetry's Operational Flow Order ("OFO") violations and whether EDG is entitled to payment for Symmetry's OFO violations as calculated based on the plain language of the EDG tariff.

5. It is puzzling why Symmetry seeks to intervene in this Midstates docket. Both EDG and Midstates issued OFOs during Storm Uri, but Symmetry's responses were quite different. Symmetry communicated with the Midstates representatives, complied with the Midstates OFO, and did not incur any OFO penalties from Midstates. Some of Symmetry's marketing customers on the Midstates system (Midstates' transportation customers) did incur OFO penalties related to Storm Uri, but none of those OFO penalties imposed by Midstates were disputed, and all of those penalties were paid without issue. Symmetry's actions with regard to Midstates and Storm Uri are in stark contrast to Symmetry's actions with regard to EDG, which actions are now at issue in the referenced complaint proceeding.

6. Commission Rule 20 CSR 4240-2.075(3) provides that the Commission *may* grant intervention in certain circumstances, but there is no right to intervene, and Midstates submits that Symmetry's intervention in this matter would not serve the public interest and should be denied.

WHEREFORE, Midstates submits this Objection to Symmetry's Application to Intervene and seeks such relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter  
Diana C. Carter MBE #50527

428 E. Capitol Ave., Suite 303  
Jefferson City, Missouri 65101  
Joplin Office Phone: (417) 626-5976  
Cell Phone: (573) 289-1961  
E-Mail: Diana.Carter@LibertyUtilities.com

**Certificate of Service**

I hereby certify that the above document was filed in EFIS on this 26<sup>th</sup> day of September, 2021, and also sent by electronic transmission to all counsel of record.

/s/ Diana C. Carter