

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of a General Investigation into            )  
the Confidential Status of Certain Documents        ) Docket No. 24-GIMX-376-GIV  
Related to Costs Incurred During Winter Storm    )  
Uri.    )

**SUPPLEMENT DATED DECEMBER 4, 2023, TO THE PETITION FOR  
RECONSIDERATION AND CLARIFICATION**

COMES NOW James P. Zakoura (“Requestor”) and respectfully files this “Supplement Dated December 4, 2023, to Petition for Reconsideration and Clarification” of the “SCHEDULING ORDER” dated November 28, 2023, and states to the State Corporation Commission of the State of Kansas (“Commission” or “KCC”) as follows:

**SUMMARY**

In Requestor’s “PETITION FOR RECONSIDERATION AND CLARIFICATION” filed on November 30, 2023, in this Docket, Requestor stated as follows at Paragraph 52 – A.

**Order that each utility specifically identify its natural gas suppliers and the total amount paid to each supplier in February 2021.** There is an overriding public interest that such information be immediately disclosed. Without such disclosure, the retail ratepayers’ rights to prosecute an action under the KCPA is jeopardized. Kansas Gas Service disclosed such information on July 30, 2021. Oklahoma and Texas have long ago taken such disclosure action. Kansas is the “outlier” on public disclosure, of those states, most impacted by extraordinary amounts of additional costs for natural gas and purchased power related to Winter Storm Uri. As indicated by the KGS disclosure dated July 30, 2021, the Atmos – Texas disclosure of July 30, 2021, and **the OCC disclosures of February 10, 2022** - - no harm has, or would be experienced, by either the utilities in Kansas or their retail ratepayers by disclosure of suppliers’ identity and the amount paid to each supplier in February 2021. (**Emphasis added**).

This SUPPLEMENT will set forth the proceedings at the Oklahoma Corporation Commission (“OCC”) (OCC Cause No. PUD 202200003), and important holdings in that OCC Docket – in the period January 7, 2022, through February 10, 2022.

On February 10, 2022, the OCC entered its ORDER – requiring each OCC jurisdictional utility must disclose to the public, the identity of each of its suppliers of natural gas and purchased power, and the dollar amount purchased from each such supplier, from and including February 7, 2021, through February 21, 2021.

Importantly, the OCC required that if any OCC jurisdictional utility that contended there were any barriers, including legal prohibitions, that would prevent them from immediately filing the ordered supplier information, the utility was required to file those specific reasons.

“THE COMMISSION FURTHER FINDS that each utility should be required to reveal the information sought by PUD, but if the utility’s position is that disclosing such information is not legally permissible, the utility should be required to explain with specificity the legal prohibition and when the information will be able to be released. Each utility should cite any legal limitation prohibiting immediate disclosure of any singular piece of information. Any assertion that disclosure is legally prohibited or limited should be required to be supported by documentation viewable by PUD for verification onsite at the utility. This will allow the public to know when each data point can, or will, be made public at some time in the future.” Oklahoma Corporation Commission, CAUSE No. PUD 202200003, ORDER NO. 723431, dated February 10, 2022.

The OCC acknowledged both the Oklahoma Open Records Act, and the exemption thereto for utility records of its suppliers which “the Commission determines are confidential books and records or trade secrets (51 O.S. 24A.22(A)), but determined the utility exception to the Oklahoma Open Records Act was inapplicable, to wit:

“ . . . traditionally, purchase information has been requested to be kept confidential for an extended period of time because premature disclosure . . . would ultimately harm ratepayers in future bid processes. . . . **However, this weather emergency has been identified as an anomaly, even by the utilities. Some have even called it a ‘hundred year storm.’**” ORDER, supra, at p. 6. (Emphasis added).

**The Proceedings at the Oklahoma Corporation Commission (“OCC”)**  
**(OCC Cause No. PUD 202200003)**

1. On January 10, 2022, the AMENDED APPLICATION TO PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND INFORMATION RELATED TO THE EXTREME WEATHER EMERGENCY OF FEBRUARY 2021, was filed by Brandy L. Wreath, Director of the Public Utility Division (“PUD”) (the “Applicant”) of the Oklahoma Corporation Commission (“OCC”). **(Exhibit No. 1.)**

<https://imaging.occ.ok.gov/AP/CaseFiles/occ30446066.pdf>

2. The Applicant named as “Respondents,” the 10 OCC jurisdictional utilities – 5 initially, with 5 more added:

- Oklahoma Natural Gas Company, a division of One Gas, Inc
- Oklahoma Gas & Electric Company
- Public Service Company of Oklahoma
- CenterPoint Energy Resources Corp.
- Summit Utilities, Inc.

The following OCC utilities were added:

- Arkansas Oklahoma Gas Corporation
- Empire District Electric Company
- Ft. Cobb Fuel Authority
- Panhandle Natural Gas, Inc.
- Canadian Valley Electric Cooperative, Inc.

3. Similar to the Declaration of Emergency by Governor Kelly, the Applicant noted:

In February 2021, a historic winter storm swept into Oklahoma and surrounding states, impacting the supply, market pricing and demand for natural gas throughout Respondents’ Oklahoma service territories (“February 2021 Weather Emergency”). During this time, Oklahoma Governor J. Kevin Stitt declared a state-wide emergency (Executive Order 2021-06) due to “[e]xtreme freezing temperatures and severe winter weather including snow, freezing rain, and wind beginning February 7, 2021, and continuing.” The Governor stated that the emergency “threatens the public’s peace, health, and safety.” **(Exhibit No. 1, at p. 3).**

4. The Applicant stated the PUD position as follows on January 10, 2022:

“6. As a result of this weather emergency, Respondents incurred extraordinary costs in providing critical utility services across Oklahoma.

7. Applicant’s position is that each Respondent should make public the following information from and including February 7, 2021, through February 21, 2021, related to the weather emergency:

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

If each Respondent is of the belief that there are barriers, including any legal prohibitions, that would prevent them from immediately filing the information, each Respondent should be required to provide the specific reasons.

8. Providing the above-described information in this Cause allows the general public to view summary information for this historic weather emergency on the Commission’s website in one, easily accessible repository and in a uniform format. **The information being sought in this Cause is not anticipated to give an unfair competitive advantage to providers of these services as this weather emergency has been considered an anomaly and should not negatively impact any future requests for competitive bids.**” (Exhibit No. 1, at pp. 3-4). (Emphasis added).

5. On January 11, 2022, the Applicant provided Testimony in Support of the Application. (Exhibit No. 2). <https://imaging.occ.ok.gov/AP/CaseFiles/occ30446457.pdf>



6. The Applicant called out the unique character of Winter Storm Uri, and provided the basis for public disclosure:

Q: What is different about this weather emergency that supports a conclusion that this information should be made available to the public at some point in the future?

A: Traditionally, purchase information is maintained as confidential for an extended period of time because premature disclosure of contracting terms would ultimately harm ratepayers in future bid processes. Providing the information can reveal to competitors how close they were to winning a bid and could serve to reduce competition in future requests for bid. Winning bidders would also have a clearer picture of how much higher they could have bid for certain contracts and still have been chosen as having the winning bid. This only serves to harm ratepayers going forward. **However, this weather emergency has been identified as an anomaly, even by the utilities. Some have even called it a ‘hundred year storm.’ Therefore, PUD recommends the information should be made publicly available as soon as legally permissible.**

Q: Do you believe the public would have interest in this information being made public?

A: Yes, ratepayers have contacted PUD wanting to know who will receive the funds for the purchases the utilities made during the weather emergency, and PUD agrees this is a reasonable request to fulfill once legally permissible to do so. **(Exhibit No. 2, at p.4). (Emphasis added.)**

Q: Why would pairing total expense with volumes potentially be an issue for disclosure?

A: There have been assertions in the past that some contract provisions would not allow information to be released publicly that could result in competitors calculating out a per unit measurement. While PUD hopes that issue does not arise from an anomalous circumstance, **PUD is interested in making all the legally-disclosable information available for public viewing as soon as possible.** **(Exhibit No. 2, at p. 5).** (Emphasis added.)

7. On January 25, 2022, NextEra filed a Motion for Limited Intervention and Protective Order, stating:

3. NEM has been provided notice by Public Service Company of Oklahoma and Oklahoma Natural Gas that in response to the Application and associated data requests they intend to provide the names of suppliers from whom they purchased

natural gas, the total volume purchased from each supplier, and the total amount paid to each supplier, including any penalty, including information regarding their transactions with NEM. The disclosure of the total volume purchased from NEM, and the total amount paid to NEM, including any penalty (herein referred to as “NEM Information”), is highly competitive confidential and proprietary information to NEM. Public disclosure of the NEM Information would provide competitors of NEM access to information valuable to them in making their own competitive decisions, without the competitors expending the time and money necessary to gather and develop the information, which, in turn, will directly harm NEM’s competitive interests. Further, the NEM Information sought is confidential to third parties with whom NEM contracts, and to provide said information requires their consent.

4. Because the disclosure of NEM’s highly competitive confidential and proprietary information is at issue in this matter, NEM qualifies as a party with a “substantive interest” in this matter and should be granted intervention pursuant to OAC 165:5-21-5(c)(1) (“Any person with a substantive interest in the subject matter of a case may become a party by filing a motion for intervention”).

5. Moreover, to protect the NEM Information, NEM seeks a protective order pursuant to 51 O.S. § 24A.22(A), which requires that the Oklahoma Corporation Commission “keep confidential those records of a public utility, its affiliates, suppliers and customers which the Commission determines are confidential books and records or trade secrets.” **(Exhibit No. 3).**

<https://imaging.occ.ok.gov/AP/CaseFiles/occ30449489.pdf>

8. By Order dated February 10, 2022, the OCC issued its “ORDER GRANTING LIMITED INTERVENTION AND DENYING PROTECTIVE ORDER.” **(Exhibit No. 4).**

<https://imaging.occ.ok.gov/AP/Orders/occ30453169.pdf>

9. As noted in the OCC Order:

PUD stated that they strongly opposed NEM’s Motion for Protective Order and presented Brandy L. Wreath for his testimony.

Mr. Wreath testified that during the February 2021 weather emergency, an extraordinary spike in demand occurred, coupled with supply disruptions, that seriously threatened Respondents ability to obtain the natural gas required to serve their customers. Mr. Wreath testified that as a result, Respondents incurred extraordinary costs in providing critical utility services across Oklahoma.



Mr. Wreath testified the filing is necessary due to some of the extreme costs related to the weather emergency incurred by the utilities to serve customers and which will be billed to ratepayers in future charges. **These costs were not the result of normal market conditions, normal contracting, or normal usage. Therefore, it should be allowable, at some point, for all of the related extreme weather emergency costs be made available to the public.**

**Mr. Wreath testified that a protective order defeats the purpose of the cause . . . and Mr. Wreath also testified that a protective order in this cause should not be allowed to protect data that is not otherwise protected by a pre-existing legal limitation. (Exhibit No. 4, at pp. 3-4). (Emphasis added).**

10. The OCC Denied the Motion for Protective Order of NextEra and ordered the Respondent OCC jurisdictional utilities to file for public view the supplier purchaser data requested by the Applicant PUD, and to specifically state any legal prohibitions to disclosure – and none were brought forth. **(Exhibit No. 4, at p. 6).**

**Utility Compliance Filings – February 1, 2022 – February 10, 2022.**

11. Public Disclosure of Public Service of Oklahoma dated February 1, 2022, **(Exhibit No. 5)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30452179.pdf>
12. Public Disclosure of Canadian Valley Electric Cooperative, Inc., dated February 1, 2022, **(Exhibit No. 6)**
13. Public Disclosure of Summit Utilities Oklahoma, Inc., dated February 4, 2022. **(Exhibit No. 7)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451881.pdf>
14. Public Disclosure of Arkansas Oklahoma Gas Corporation dated February 4, 2022. **(Exhibit No. 8)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451877.pdf>
15. Public Disclosure of Panhandle Natural Gas, Inc. dated February 4, 2022. **(Exhibit No. 9)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451855.pdf>
16. Public Disclosure of Fort Cobb Fuel Authority, LLC dated February 4, 2022. **(Exhibit No. 10)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451853.pdf>

17. Public Disclosure of Oklahoma Gas & Electric Company dated February 4, 2022. **(Exhibit No. 11)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451824.pdf>
18. Public Disclosure of Empire District Electric Company dated February 7, 2022. **(Exhibit No. 12)** <https://imaging.occ.ok.gov/AP/CaseFiles/occ30451971.pdf>
19. Supplemental Public Disclosure of Oklahoma Natural Gas Company dated February 10, 2022 **(Exhibit No. 13)** and Initial Public Disclosure of Oklahoma Natural Gas Company dated February 4, 2022. **(Exhibit No. 14)**  
<https://imaging.occ.ok.gov/AP/CaseFiles/occ30453076.pdf>  
<https://imaging.occ.ok.gov/AP/CaseFiles/occ30451879.pdf>
20. FINAL ORDER CLOSING FILE, OCC CAUSE No. 202200003, ORDER No. 723432, dated February 10, 2022. **(Exhibit No. 15)**.

Respectfully submitted,

/s/ James P. Zakoura

James P. Zakoura, KS 7644  
FOULSTON SIEFKIN LLP  
7500 College Blvd., Suite 1400  
Overland Park, KS 66210  
Telephone: 913-498-2100  
Email: [jzaoura@foulston.com](mailto:jzaoura@foulston.com)  
*Requestor*



**VERIFICATION**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF JOHNSON    )

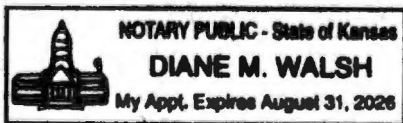
James P. Zakoura, being duly sworn upon his oath, deposes and states that he has read and is familiar with the foregoing *Supplement Dated December 4, 2023 to the Petition for Reconsideration and Clarification*, and the statements therein are true to the best of his knowledge, information, and belief.

  
\_\_\_\_\_  
James P. Zakoura

SUBSCRIBED AND SWORN to before me this 4th day of December 2023.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires:



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was electronically filed with the Kansas Corporation Commission on December 4, 2023, and that one copy was delivered electronically to all parties on the service list as follows:

JAMES G. FLAHERTY, ATTORNEY  
ANDERSON & BYRD, L.L.P.  
216 S HICKORY  
PO BOX 17  
OTTAWA, KS 66067  
[jflaherty@andersonbyrd.com](mailto:jflaherty@andersonbyrd.com)

KENNETH M MALTER, DIRECTOR GAS  
SUPPLY/SERVICES  
ATMOS ENERGY CORPORATION  
1100 POYDRAS STREET, STE 3400  
NEW ORLEANS, LA 70163  
[kenny.malter@atmosenergy.com](mailto:kenny.malter@atmosenergy.com)

GERARD WESTON  
ATMOS ENERGY CORPORATION  
1555 BLAKE ST STE 400  
DENVER, CO 80202  
[gerard.weston@atmosenergy.com](mailto:gerard.weston@atmosenergy.com)

NICK SMITH, MANAGER - REGULATORY &  
FINANCE  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY LLC D/B/A Black Hills Energy  
601 NORTH IOWA STREET  
LAWRENCE, KS 66044  
[nick.smith@blackhillscorp.com](mailto:nick.smith@blackhillscorp.com)

SHELLY M BASS, SENIOR ATTORNEY  
ATMOS ENERGY CORPORATION  
5430 LBJ FREEWAY  
1800 THREE LINCOLN CENTRE  
DALLAS, TX 75240  
[shelly.bass@atmosenergy.com](mailto:shelly.bass@atmosenergy.com)

KATHLEEN R. OCANAS, DIVISION VP OF  
RATES & REGULATORY AFFAIRS  
ATMOS ENERGY CORPORATION  
25090 W 110TH TERR  
OLATHE, KS 66061  
[kathleen.ocanas@atmosenergy.com](mailto:kathleen.ocanas@atmosenergy.com)

ROB DANIEL, DIRECTOR OF REGULATORY  
AND FINANCE  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY LLC  
D/B/A Black Hills Energy  
655 EAST MILLSAP DRIVE, STE. 104  
PO BOX 13288  
FAYETTEVILLE, AR 72703-1002  
[rob.daniel@blackhillscorp.com](mailto:rob.daniel@blackhillscorp.com)

DOUGLAS LAW, ASSOCIATE GENERAL  
COUNSEL  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY, LLC  
D/B/A BLACK HILLS ENERGY  
1731 WINDHOEK DRIVE  
LINCOLN, NE 68512  
[douglas.law@blackhillscorp.com](mailto:douglas.law@blackhillscorp.com)

JODI CULP, VICE PRESIDENT - GAS SUPPLY  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY, LLC D/B/A BLACK HILLS  
ENERGY  
2287 COLLEGE ROAD  
COUNCIL BLUFFS, IA 51503  
[jodi.culp@blackhillscorp.com](mailto:jodi.culp@blackhillscorp.com)

CHRISTINA L ELLIS, SENIOR PARALEGAL  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY, LLC D/B/A BLACK HILLS  
ENERGY  
1731 WINDHOEK DRIVE  
LINCOLN, NE 68512  
[christina.ellis@blackhillscorp.com](mailto:christina.ellis@blackhillscorp.com)

AARON DOLL  
EMPIRE DISTRICT ELECTRIC COMPANY  
602 S JOPLIN AVE  
JOPLIN, MO 64801  
[aaron.doll@libertyutilities.com](mailto:aaron.doll@libertyutilities.com)

LESLIE WINES, SR. EXEC. ADMIN. ASST.  
EVERGY KANSAS CENTRAL, INC  
818 S KANSAS AVE  
PO BOX 889  
TOPEKA, KS 66601-0889  
[leslie.wines@evergy.com](mailto:leslie.wines@evergy.com)

TODD E. LOVE, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[t.love@curb.kansas.gov](mailto:t.love@curb.kansas.gov)

ANN STICHLER, SR. ANALYST-  
REGULATORY & FINANCE  
BLACK HILLS/KANSAS GAS UTILITY  
COMPANY, LLC  
D/B/A BLACK HILLS ENERGY  
2287 COLLEGE ROAD  
COUNCIL BLUFFS, IA 51503  
[ann.stichler@blackhillscorp.com](mailto:ann.stichler@blackhillscorp.com)

ANGELA CLOVEN, THE EMPIRE DISTRICT  
ELECTRIC COMPANY  
EMPIRE DISTRICT ELECTRIC COMPANY  
PO BOX 127  
602 S JOPLIN AVENUE  
JOPLIN, MO 64802-0127  
[angela.cloven@libertyutilities.com](mailto:angela.cloven@libertyutilities.com)  
[regulatory.information@libertyutilities.com](mailto:regulatory.information@libertyutilities.com)

LANA McDONALD, REGULATORY AFFAIRS  
MANAGER  
EVERGY KANSAS CENTRAL, INC  
818 S KANSAS AVE  
PO BOX 889  
TOPEKA, KS 66601-0889  
[lane.mcdonald@evergy.com](mailto:lane.mcdonald@evergy.com)

JOSEPH R. ASTRAB, ATTORNEY  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[j.astrab@curb.kansas.gov](mailto:j.astrab@curb.kansas.gov)

DAVID W. NICKEL, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[d.nickel@curb.kansas.gov](mailto:d.nickel@curb.kansas.gov)



SHONDA RABB  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[s.rabb@curb.kansas.gov](mailto:s.rabb@curb.kansas.gov)

LORNA EATON, MANAGER OF RATES AND  
REGULATORY AFFAIRS  
KANSAS GAS SERVICE, A DIVISION OF ONE  
GAS, INC.  
7421 W 129TH STREET  
OVERLAND PARK, KS 66213  
[lorna.eaton@onegas.com](mailto:lorna.eaton@onegas.com)

CHARLOTTE T. EMERY, DIRECTOR, RATES  
AND REGULATORY AFFAIRS-ELECTRIC  
LIBERTY UTILITIES - EMPIRE DISTRICT  
602 SOUTH JOPLIN AVENUE  
JOPLIN, MO 64801  
[charlotte.emery@libertyutilities.com](mailto:charlotte.emery@libertyutilities.com)

CINDY WILSON, DIRECTOR, RATES &  
REGULATORY AFFAIRS  
LIBERTY UTILITIES - EMPIRE DISTRICT  
602 SOUTH JOPLIN AVENUE  
JOPLIN, MO 64801  
[cindy.wilson@libertyutilities.com](mailto:cindy.wilson@libertyutilities.com)

ROBERT E. VINCENT, MANAGING  
ATTORNEY  
KANSAS GAS SERVICE, A DIVISION OF ONE  
GAS, INC.  
7421 W. 129TH STREET  
OVERLAND PARK, KS 66213  
[robert.vincent@onegas.com](mailto:robert.vincent@onegas.com)

BRIAN G. FEDOTIN, GENERAL COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[b.fedotin@kcc.ks.gov](mailto:b.fedotin@kcc.ks.gov)

DELLA SMITH  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[d.smith@curb.kansas.gov](mailto:d.smith@curb.kansas.gov)

DIANA C. CARTER  
LIBERTY UTILITIES - EMPIRE DISTRICT  
428 E. Capitol Ave.  
Ste. 303  
Jefferson City, MO 65101  
[diana.carter@libertyutilities.com](mailto:diana.carter@libertyutilities.com)

CATHRYN J. DINGES, SR DIRECTOR &  
REGULATORY AFFAIRS COUNSEL  
EVERGY KANSAS CENTRAL, INC  
818 S KANSAS AVE  
PO BOX 889  
TOPEKA, KS 66601-0889  
[cathy.dinges@evergy.com](mailto:cathy.dinges@evergy.com)

TREVOR WOHLFORD, ATTORNEY  
MORRIS LAING EVANS BROCK & KENNEDY  
800 SW JACKSON  
SUITE 1310  
TOPEKA, KS 66612-1216  
[twohlford@morrislaing.com](mailto:twohlford@morrislaing.com)

JAMES P ZAKOURA, ATTORNEY  
FOULSTON SIEFKIN LLP  
7500 COLLEGE BOULEVARD, STE 1400  
OVERLAND PARK, KS 66201-4041  
[jzakoura@foulston.com](mailto:jzakoura@foulston.com)

CARLY MASENTHIN, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604  
[c.masenthin@kcc.ks.gov](mailto:c.masenthin@kcc.ks.gov)





**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
JAN 10 2022

COURT CLERK'S OFFICE - OKC.  
CORPORATION COMMISSION  
OF OKLAHOMA

**AMENDMENT APPLICATION TO PUBLICLY DISCLOSE  
CERTAIN DOCUMENTS AND INFORMATION RELATED TO  
THE EXTREME WEATHER EMERGENCY OF FEBRUARY 2021**

COMES NOW Brandy L. Wreath, Director of the Public Utility Division ("PUD") of the Oklahoma Corporation Commission ("Commission") by and through the undersigned counsel, for an application to publicly disclose certain documents and information related to the extreme weather emergency of February 2021. In support of this Application, Applicant alleges and states as follows:

**I. PARTIES**

Applicant is Brandy L. Wreath, PUD Director. Applicant is located at 2101 North Lincoln Boulevard, Suite 580, Oklahoma City, Oklahoma 73105.

Respondents (which shall collectively be referred to as "Respondents") are the following listed companies:

1. Oklahoma Natural Gas Company, a division of ONE Gas, Inc. ("ONG") located at 401 North Harvey Avenue, P.O. Box 410, Oklahoma City, Oklahoma 73101;
2. Oklahoma Gas and Electric Company ("OG&E") located at 321 N. Harvey Avenue, Oklahoma City, Oklahoma 73102;
3. Public Service Company of Oklahoma ("PSO") located at 212 E. 6<sup>th</sup> Street, Tulsa, Oklahoma 74119;

4. CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Oklahoma Gas Company (“CenterPoint”) located at 1400 Centerview Drive, Suite 100, Little Rock, Arkansas 72210;
5. Summit Utilities, Inc. (“Summit”)<sup>1</sup> located at 10825 E. Geddes Avenue, Ste. 410, Centennial, Colorado 80112;
6. Arkansas Oklahoma Gas Corporation (“AOG”) located at 115 North Twelfth Street, Fort Smith, Arkansas 72901;
7. Empire District Electric Company (“Liberty-Empire”) located at 602 S. Joplin Ave., Joplin, Missouri 64818;
8. Ft. Cobb Fuel Authority, LLC (“Ft. Cobb”) located at P.O. Box 183, 121 Eakly Campus Road, Eakly, Oklahoma 73033;
9. Panhandle Natural Gas, Inc. (“Panhandle”) located at HC 3 Box 113, Beaver, Oklahoma 73932; and
10. Canadian Valley Electric Cooperative, Inc. (“CVEC”) located at 11277 North Highway 99, Seminole, Oklahoma 74868.

## II. ALLEGATIONS OF FACT

1. The Oklahoma Legislature established that, “The Commission shall have general supervision over all public utilities, with power to fix and establish rates and to prescribe and promulgate rules, requirements, and regulations, affecting their services, operation,

---

<sup>1</sup> Pursuant to an Asset Purchase Agreement, dated as of April 29, 2021, by and between CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Oklahoma Gas Company (“CenterPoint”) and Southern Col. Midco, LLC (“Buyer”, a Delaware limited liability company and an affiliate of Summit Utilities, Inc. (together with Buyer, “Summit), CenterPoint has agreed to sell and Summit has agreed to purchase substantially all of the assets of CenterPoint.

and the management and conduct of their business; shall inquire into the management of the business thereof, and the method in which same is conducted.” 17 O.S. § 152(A).

2. Respondents are public utilities as defined by 17 O.S. § 151, and are therefore under the Commission’s general supervision.
3. In February 2021, a historic winter storm swept into Oklahoma and surrounding states, impacting the supply, market pricing and demand for natural gas throughout Respondents’ Oklahoma service territories (“February 2021 Weather Emergency”). During this time, Oklahoma Governor J. Kevin Stitt declared a state-wide emergency (Executive Order 2021-06) due to “[e]xtreme freezing temperatures and severe winter weather including snow, freezing rain, and wind beginning February 7, 2021, and continuing.” The Governor stated that the emergency “threatens the public’s peace, health, and safety.”
4. The Commission subsequently issued two emergency orders related to the February 2021 Weather Emergency to address issues including the limited supply of natural gas, the prioritization of electric and gas service for public health, welfare, safety and security, and the need for conservation efforts.
5. During the February 2021 Weather Emergency, an extraordinary spike in demand occurred that seriously threatened Respondents’ ability to obtain the natural gas required to serve its customers.
6. As a result of this weather emergency, Respondents incurred extraordinary costs in providing critical utility services across Oklahoma.



7. Applicant's position is that each Respondent should make public the following information from and including February 7, 2021, through February 21, 2021, related to the weather emergency:
- The total amount each Respondents paid to each provider for:
    - The natural gas commodity
    - Transportation services
    - Transmission services
    - Storage related expenses
    - Purchased Power
    - Other related expenses by type and provider
  - Any penalties related to each category above should be listed out separately by provider and penalty type.

If each Respondent is of the belief that there are barriers, including any legal prohibitions, that would prevent them from immediately filing the information, each Respondent should be required to provide the specific reasons.

8. Providing the above-described information in this Cause allows the general public to view summary information for this historic weather emergency on the Commission's website in one, easily-accessible repository and in a uniform format. The information being sought in this Cause is not anticipated to give an unfair competitive advantage to providers of these services as this weather emergency has been considered an anomaly and should not negatively impact any future requests for competitive bids.
9. Information should be filed in a format as ordered by the Commission in this Cause.
10. As an additional service to the general public, and to provide another option by which the public may easily view the information, the PUD with the Commission's website team can post a compilation of the filed information.

### III. LEGAL AUTHORITY

The Commission has jurisdiction pursuant to Article IX, Sections 18 and 19 of the Oklahoma Constitution, and 17 O.S. §§ 151 *et seq.*

### IV. RELIEF SOUGHT

**WHEREFORE**, Applicant respectfully requests the Commission order each Respondent to provide the information, as delineated in paragraph 7 above, designate any required format for the filing, and grant any other relief the Commission deems appropriate and just, whether specifically prayed for or not.

Respectfully submitted,

s/ Michael L. Velez  
Michael L. Velez, OBA # 19963  
Oklahoma Corporation Commission  
Deputy General Counsel  
Public Utility Division  
Judicial and Legislative Services Division  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152-2000  
Telephone: (405) 522-5930  
Facsimile: (405) 521-4150  
[Michael.Velez@occ.ok.gov](mailto:Michael.Velez@occ.ok.gov)

*Attorney for Applicant Brandy L. Wreath,  
Director, Public Utility Division, Oklahoma  
Corporation Commission*

**CERTIFICATE OF ELECTRONIC SERVICE**

I, the undersigned, do hereby certify that on the 10<sup>th</sup> day of January 2022, a true and correct copy of the above and foregoing was sent electronically to:

**Office of Attorney  
General Attn: Utility  
Regulation 313 NE 21<sup>st</sup>  
Street Oklahoma City, OK  
73105  
[utility.regulation@oag.ok.gov](mailto:utility.regulation@oag.ok.gov)  
[utilityregulation@oag.ok.gov](mailto:utilityregulation@oag.ok.gov)**

**Jack P. Fite  
White, Coffey, & Fite PC  
2200 NW 50<sup>th</sup> Street, Suite 210E  
Oklahoma City, OK 73112  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)**

**JOANN S. WORTHINGTON  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118-1116  
[jtstevenson@aep.com](mailto:jtstevenson@aep.com)**

**Kenneth A. Tilltson  
Director of Legal Services  
Liberty Utilities (Central Region)  
602 S. Joplin Ave.  
Joplin, MO 64818  
[Kenneth.tillotson@libertyutilities.com](mailto:Kenneth.tillotson@libertyutilities.com)**

**Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Rd.  
Oklahoma City, OK 73162  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)**

**William Humes  
Kimber Shoop  
Oklahoma Gas & Electric Company  
Post Office Box 321, MC 1208  
Oklahoma City, OK 73101-0321  
[humeswl@oge.com](mailto:humeswl@oge.com) [shoopkl@oge.com](mailto:shoopkl@oge.com)**

**Dustin Fredrick  
Oklahoma Natural Gas  
P.O. Box 401  
Oklahoma City, Oklahoma 73101  
[Dustin.Fredrick@onegas.com](mailto:Dustin.Fredrick@onegas.com)**

**Curtis M. Long  
J. Dillon Curran  
CONNER & WINTERS, LLP  
1700 One Leadership Square Oklahoma  
City, Oklahoma 73102-7261  
[clong@cwlaw.com](mailto:clong@cwlaw.com) [dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)**

**J. Roger Hensen, PLLC  
2801 N Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)**

**J. Eric Turner  
Adam J. Singer  
Derryberry & Naifeh, LLP  
4800 N Lincoln Blvd  
Oklahoma City, OK 73105  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)**

*Mary Ellen Sanders*  
\_\_\_\_\_  
Mary Ellen Sanders, Legal Secretary

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
JAN 11 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**TESTIMONY IN SUPPORT OF**

**APPLICATION TO PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND INFORMATION  
RELATED TO THE EXTREME WEATHER EMERGENCY OF FEBRUARY 2021**

**BRANDY L WREATH**

**January 11, 2022**





**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

**TESTIMONY IN SUPPORT OF  
APPLICATION TO PUBLICLY DISCLOSE  
CERTAIN DOCUMENTS AND INFORMATION RELATED TO  
THE EXTREME WEATHER EMERGENCY OF FEBRUARY 2021**

**BRANDY L WREATH**

**January 11, 2022**

**TABLE OF CONTENTS**

**INTRODUCTION ..... 3**  
**PURPOSE .....4**  
**RECOMMENDATION......6**

## INTRODUCTION

**Q: Please state your name, business address, and title.**

A: My name is Brandy L Wreath. My business address is the Oklahoma Corporation Commission (“Commission”), Public Utility Division, Jim Thorpe Office Building, Room 580, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. I am filing pursuant to my duties as the Director of the Public Utility Division (“PUD”).

**Q: What is the purpose of this Testimony?**

A: The purpose of this Testimony is to discuss the reasoning for filing the application and to address recommendations related to utility responses.

**Q: What events led to the filing of this application?**

A: In February 2021, a historic winter storm swept into Oklahoma and surrounding states, impacting the supply, market pricing and demand for natural gas throughout Respondents’ Oklahoma service territories (“February 2021 Weather Emergency”). This had a major impact on natural gas and electric utility energy pricing across the region. During this time, Oklahoma Governor J. Kevin Stitt declared a state-wide emergency (Executive Order 2021-06) due to “[e]xtreme freezing temperatures and severe winter weather including snow, freezing rain, and wind beginning February 7, 2021, and continuing.” The Governor stated that the emergency “threatens the public’s peace, health, and safety. Subsequently, the legislature passed law that gave an alternative financing option to the Commission to use in consideration of long term handling of the expenses.

**Q: Does this application seek to address actions to reduce the impacts to ratepayers?**

A: Those actions are not within the scope of this application. To follow those actions, it would be best for those interested to follow the cases each utility filed to recover the costs for this weather emergency and to monitor the Commission’s ongoing meetings and efforts to address the utilities’ activities relating to the weather emergency and actions proposed to be taken in the future.

## PURPOSE

**Q: What is the purpose of this application?**

A: This filing is necessary due to some of the extreme costs related to the weather emergency incurred by the utilities to serve customers and which will be billed to ratepayers in future charges. These costs were not the result of normal market conditions, normal contracting, or normal usage. Therefore, it should be allowable, at some point, for all of the related extreme weather emergency costs to be made available to the public.

**Q: What is different about this weather emergency that supports a conclusion that this information should be made available to the public at some point in the future?**

A: Traditionally, purchase information is maintained as confidential for an extended period of time because premature disclosure of contracting terms would ultimately harm ratepayers in future bid processes. Providing the information can reveal to competitors how close they were to winning a bid and could serve to reduce competition in future requests for bid. Winning bidders would also have a clearer picture of how much higher they could have bid for certain contracts and still have been chosen as having the winning bid. This only serves to harm ratepayers going forward. However, this weather emergency has been identified as an anomaly, even by the utilities. Some have even called it a 'hundred-year storm.' Therefore, PUD recommends the information should be made publicly available as soon as legally permissible.

**Q: Do you believe the public would have interest in this information being made public?**

A: Yes, ratepayers have contacted PUD wanting to know who will receive the funds for the purchases the utilities made during the weather emergency, and PUD agrees this is a reasonable request to fulfill once legally permissible to do so.

**Q: What types of limitations would keep the information from being made public?**

A: That is one of the purposes of this Cause. PUD believes each utility should be required to reveal the information, but if the utility's position is that disclosing the information is not legally permissible, the utility should be required to explain with specificity the legal prohibition and when the information will be able to be released. Each utility should cite any legal limitation prohibiting immediate disclosure of

any singular piece of information. Any assertion that disclosure is legally prohibited or limited should be required to be supported by documentation viewable by PUD for verification onsite at the utility. That will allow the public to know when each data point can, or will, be made public at some time in the future.

**Q: Is PUD requesting utilities provide contract or settlement level information based on individual purchases or services?**

A: No. PUD is merely requesting disclosure of the amount of extreme weather emergency costs paid to each provider for the commodity, transport, service, purchase power, or other expenses related to the emergency. PUD is not requesting expense amounts be tied to volumes purchased if that is the limiting factor for disclosure.

**Q: Why would pairing total expense with volumes potentially be an issue for disclosure?**

A: There have been assertions in the past that some contract provisions would not allow information to be released publicly that could result in competitors calculating out a per unit measurement. While PUD hopes that issue does not arise from an anomalous circumstance, PUD is interested in making all the legally-disclosable information available for public viewing as soon as possible.

**Q: Please clarify the information PUD is requesting be made public.**

A: PUD would suggest using those costs considered eligible for recovery as storm related regulatory assets or securitization be disclosed. This would include, but not be limited to, the following:

- Natural gas commodity
- Transportation services
- Transmission services
- Storage related expenses
- Purchased power
- Penalties incurred separated out on each expense
- Other related expenses by type and provider

**Q: How does PUD recommend parties respond to make this information publicly available?**

A: PUD recommends all information that can be made immediately available be filed in this docket by each company using the format below. Each expense type should be on a separate spreadsheet. This will then allow PUD to make the information easily available on the Commission's website.



Utility Name:		Expense Type:		
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid	Volumetric if Publicly Disclosable	The Legal Cite Requiring Confidentiality if Not Disclosable
Provider 1				
Provider 2				
Etc..				

**Q: What about information the utilities consider confidential that falls into these categories?**

A: PUD believes each Respondent should be required to file information in this Cause stating why each piece of information is confidential and when it would be available in the future for public release, if ever. This filing should be required to specifically state the reason for confidentiality for each data point.

**RECOMMENDATION**

**Q: What is PUD’s recommendation in this Cause?**

A: PUD believes each respondent should be required to file information in this Cause as requested above for posting to the Commission website. PUD also recommends Respondents be required to file information in this Cause stating why any piece of the requested information is not available, along with a reference to the document, rule, or legal provision upon which the Respondent is relying in asserting that limitation, and when it may be available in the future.

I state, under penalty of perjury under the laws of Oklahoma, that the foregoing is true and correct to the best of my knowledge and belief.

*Brandy Wreath*

\_\_\_\_\_  
Brandy L Wreath

**CERTIFICATE OF ELECTRONIC SERVICE**

I, the undersigned, do hereby certify that on the 11<sup>th</sup> day of January 2022, a true and correct copy of the above and foregoing was sent electronically to:

**Office of Attorney General**  
**Attn: Utility Regulation 313**  
NE 21<sup>st</sup> Street Oklahoma  
City, OK 73105  
[utility.regulation@oag.ok.gov](mailto:utility.regulation@oag.ok.gov)  
[utilityregulation@oag.ok.gov](mailto:utilityregulation@oag.ok.gov)

**Jack P. Fite**  
**White, Coffey, & Fite PC**  
9520 N. May, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

**JOANN S. WORTHINGTON**  
**American Electric Power**  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118-1116  
[jtstevenson@aep.com](mailto:jtstevenson@aep.com)

**Kenneth A. Tilltson**  
**Director of Legal Services**  
**Liberty Utilities (Central Region)**  
602 S. Joplin Ave.  
Joplin, MO 64818  
[Kenneth.tillotson@libertyutilities.com](mailto:Kenneth.tillotson@libertyutilities.com)

**Ron Comingdeer**  
**Ron Comingdeer & Assoc., PC**  
11008 Blue Stem Back Rd.  
Oklahoma City, OK 73162  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)

**William Humes**  
**Kimber Shoop**  
**Oklahoma Gas & Electric Company**  
Post Office Box 321, MC 1208  
Oklahoma City, OK 73101-0321  
[humeswl@oge.com](mailto:humeswl@oge.com) [shoopkl@oge.com](mailto:shoopkl@oge.com)

**Dustin Fredrick**  
**Oklahoma Natural Gas**  
P.O. Box 401  
Oklahoma City, Oklahoma 73101  
[Dustin.Fredrick@onegas.com](mailto:Dustin.Fredrick@onegas.com)

**Curtis M. Long**  
**J. Dillon Curran**  
**CONNER & WINTERS, LLP**  
1700 One Leadership Square Oklahoma  
City, Oklahoma 73102-7261  
[clong@cwlaw.com](mailto:clong@cwlaw.com) [dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)

**J. Roger Hensen, PLLC**  
2801 N Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

**J. Eric Turner**  
**Adam J. Singer**  
**Derryberry & Naifeh, LLP**  
4800 N Lincoln Blvd  
Oklahoma City, OK 73105  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

*Mary Ellen Sanders*  
\_\_\_\_\_  
Mary Ellen Sanders, Legal Secretary

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS )  
INFORMATION RELATED TO THE EXTREME )  
AND WEATHER EMERGENCY OF )  
FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
JAN 25 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**MOTION FOR LIMITED INTERVENTION AND**  
**MOTION FOR PROTECTIVE ORDER**

COMES NOW NextEra Energy Marketing, LLC (“NEM”), and in support of its Motion for Limited Intervention and Motion for Protective Order, states:

1. On January 7, 2022, Brandy L. Wreath, Director of the Public Utility Division (“PUD”), filed an application to publicly disclose certain documents and information related to the extreme weather emergency of February 2021 (“Application”). The Application and associated testimony seek to publicly disclose the following information regarding natural gas trading activities from and including February 7, 2021, through February 21, 2021 related to a weather emergency:

- The natural gas commodity;
- Transportation services;
- Transmission services;
- Storage related expenses ;
- Purchased Power;
- Other related expenses by type and provider; and

- Any penalties related to each category above should be listed out separately by provider and penalty type.

Application at 3.

2. NEM is one of the nation's leading electricity and natural gas marketers, providing a wide range of electricity and gas commodity products as well as marketing and trading services to electric and gas utilities, municipalities, cooperatives and other load-serving entities, as well as to owners of electric generation facilities. NEM provides such products and services to entities within the state of Oklahoma.

3. NEM has been provided notice by Public Service Company of Oklahoma and Oklahoma Natural Gas that in response to the Application and associated data requests they intend to provide the names of suppliers from whom they purchased natural gas, the total volume purchased from each supplier, and the total amount paid to each supplier, including any penalty, including information regarding their transactions with NEM. The disclosure of the total volume purchased from NEM, and the total amount paid to NEM, including any penalty (herein referred to as "NEM Information"), is highly competitive confidential and proprietary information to NEM. Public disclosure of the NEM Information would provide competitors of NEM access to information valuable to them in making their own competitive decisions, without the competitors expending the time and money necessary to gather and develop the information, which, in turn, will directly harm NEM's competitive interests. Further, the NEM Information sought is confidential to third-parties with whom NEM contracts, and to provide said information requires their consent.

4. Because the disclosure of NEM's highly competitive confidential and proprietary information is at issue in this matter, NEM qualifies as a party with a "substantive interest" in this matter and should be granted intervention pursuant to OAC 165:5-21-5(c)(1) ("Any person with a



substantive interest in the subject matter of a case may become a party by filing a motion for intervention”).

5. Moreover, to protect the NEM Information, NEM seeks a protective order pursuant to 51 O.S. § 24A.22(A), which requires that the Oklahoma Corporation Commission “keep confidential those records of a public utility, its affiliates, suppliers and customers which the Commission determines are confidential books and records or trade secrets.”

WHEREFORE, NEM requests that the Commission enter an Order granting its limited intervention as a party in this Cause for purposes of assuring protection of its highly competitive confidential and proprietary information. Moreover, NEM requests that the Commission issue a Protective Order to be used by the Parties to the proceeding, as needed to protect NEM Information in this Cause, and that no party shall be authorized to provide the above-referenced confidential information to the Corporation Commission, PUD, or other party, except as consistent with said protective order. Because data requests issued in this Cause to the Respondents have demanded that Respondents disclose NEM confidential information by Tuesday, February 1, 2022, NEM requests that the Commission’s five-day notice requirement for hearings be waived and that this Motion be scheduled for hearing on Thursday, January 27, 2022.

Respectfully submitted,

*/s/ James A. Roth*

---

James A. Roth, OBA #16535  
Marc Edwards, OBA #10281  
C. Eric Davis, OBA #22121  
Travis E. Harrison, OBA #33520 PHILLIPS  
MURRAH, P.C.  
Corporate Tower, 13<sup>th</sup> Floor  
101 North Robinson  
Oklahoma City, Oklahoma 73102  
Telephone: (405) 235-4100 Facsimile:  
(405) 235-4133  
jaroath@phillipsmurrah.com  
medwards@phillipsmurrah.com  
cedavis@phillipsmurrah.com  
teharrison@phillipsmurrah.com

**ATTORNEYS FOR NEXTERA ENERGY  
MARKETING, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 24<sup>th</sup> day of January, 2022, a true and correct copy of the foregoing was emailed to:

Mike Velez  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-5200  
[Michael.velez@occemail.com](mailto:Michael.velez@occemail.com)

Jack P. Fite White, Coffey, & Fite PC  
9520 N. May, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

JOANN S. WORTHINGTON  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118-1116  
[jtstevenson@aep.com](mailto:jtstevenson@aep.com)

Kenneth A. Tilltson  
Director of Legal Services Liberty  
Utilities (Central Region)  
602 S. Joplin Ave.  
Joplin, MO 64818  
[Kenneth.tillotson@libertyutilities.com](mailto:Kenneth.tillotson@libertyutilities.com)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Rd.  
Oklahoma City, OK 73162  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)

William Humes  
Kimber Shoop  
Oklahoma Gas & Electric Company  
Post Office Box 321, MC 1208  
Oklahoma City, OK 73101-0321  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Dustin Fredrick Oklahoma Natural  
Gas P.O. Box 401

Oklahoma City, Oklahoma 73101  
[Dustin.Fredrick@onegas.com](mailto:Dustin.Fredrick@onegas.com)

Curtis M. Long J.  
Dillon Curran CONNER &  
WINTERS, LLP  
1700 One Leadership Square  
Oklahoma City, Oklahoma 73102  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)

J. Roger Hensen, PLLC  
2801 N Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

J. Eric Turner  
Adam J. Singer Derryberry & Naifeh,  
LLP  
4800 N Lincoln Blvd Oklahoma City,  
OK 73105  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

*/s/ Eric Davis*

---



February 10, 2022

CDT

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH,	)	
DIRECTOR OF THE PUBLIC UTILITY DIVISION,	)	
OKLAHOMA CORPORATION COMMISSION, TO	)	CAUSE NO. PUD 202200003
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND	)	
INFORMATION RELATED TO THE EXTREME	)	ORDER NO. <u>723431</u>
WEATHER EMERGENCY OF FEBRUARY 2021	)	

HEARING: January 31, 2022, in Courtroom B (virtual teleconference)  
 2101 North Lincoln Blvd., Oklahoma City, Oklahoma 73105  
*Before* Linda S. Foreman, Administrative Law Judge

APPEARANCES: Michael L. Velez, Attorney, *representing* the Public Utility Division,  
 Oklahoma Corporation Commission;  
 William L. Humes and Kimber L. Shoop, Attorneys *representing*  
 Oklahoma Gas and Electric Company;  
 Dustin R. Fredrick, Curtis M. Long, J. Dillon Curran, and Anna McNeil,  
 Attorneys *representing* Oklahoma Natural Gas Company, a division of  
 ONE Gas Inc.;  
 Curtis M. Long, J. Dillon Curran, and Anna McNeil, Attorneys  
*representing* CenterPoint Energy Resources Corp., d/b/a CenterPoint  
 Energy Oklahoma Gas;  
 Curtis M. Long, J. Dillon Curran, and Anna McNeil, Attorneys  
*representing* Summit Utilities Oklahoma Inc.;  
 Curtis M. Long, J. Dillon Curran, and Anna McNeil, Attorneys  
*representing* Arkansas Oklahoma Gas Corporation;  
 Jack P. Fite and Joann S. Worthington, Attorneys *representing* Public  
 Service Company of Oklahoma;  
 Kenneth A. Tillotson, Attorney *representing* Empire District Electric  
 Company;  
 Ron Comingdeer, Attorney *representing* Panhandle Natural Gas Inc.  
 Ron Comingdeer, Attorney *representing* Ft. Cobb Fuel Authority LLC  
 James A. Roth, Marc Edwards, C. Eric Davis, and Travis E. Harrison,  
 Attorneys *representing* NextEra Energy Marketing, LLC

**ORDER GRANTING LIMITED INTERVENTION AND DENYING PROTECTIVE ORDER**

The Corporation Commission (“Commission”) of the State of Oklahoma being regularly in session and the undersigned Commissioners present and participating, there comes on for consideration NextEra Energy Marketing, LLC’s (“NEM”) combined Motion for Limited Intervention and Motion for Protective Order (“Motion”) filed on January 25, 2022, in the Application of Brandy L. Wreath, Director of the Public Utility Division (“PUD”), Oklahoma Corporation Commission, to publicly disclose certain documents and information related to the extreme weather emergency of February 2021 (“Application”).

## **I. PROCEDURAL HISTORY**

On January 12, 2022, PUD submitted Discovery Request to the Respondents listed in the Application requesting the Respondents file in this Cause, the total amount each Respondent paid to each provider for the natural gas commodity, transportation services, transmission services, storage related expenses, purchased power, and other related expenses by type and provider. The request made clear that no confidential information was to be provided and that a comment of why any withheld data was confidential should be provided. The Discovery Request were due to be filed by February 1, 2022.

On January 25, 2022, NEM filed its combined Motion along with a Notice of Hearing setting its combined Motion to be heard before an Administrative Law Judge (“ALJ”) on January 27, 2022. On the same date NEM sent an email to all parties requesting a waiver of the five business day notice in OAC 165:5-9-2 (b)(1)(A).

All Respondents agreed to waive the five business day notice requirement. PUD did not agree to waiver of the five business notice requirement. However, PUD did agree, subject to the ALJ’s availability, to have a hearing on January 31, 2022, prior to the due date for responses to be submitted to PUD’s discovery request.

On January 27, 2022, the Motion came on for hearing and was continued by agreement of the parties to January 31, 2022.

On January 31, 2022, Oklahoma Gas and Electric Company, (“OG&E”), Oklahoma Natural Gas Company, a division of ONE Gas (“ONG”), CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Oklahoma Gas (“CenterPoint”), Summit Utilities Oklahoma, Inc., (“Summit”), Arkansas Oklahoma Gas Corporation (“AOG”), Public Service Company of Oklahoma (“PSO”), and Empire District Electric Company (“Empire”) filed their respective Entries of Appearance.

On January 31, 2022, a hearing on NEM’s Motions was held before an ALJ.

At the hearing, NEM requested intervention and stated, pursuant to their Motion that NEM had been provided notice by PSO and ONG that in response to the Application and associated data requests they intended to provide the names of suppliers from whom they purchased natural gas, the total volume purchased from each supplier, and the total amount paid to each supplier, including any penalty, including information regarding their transactions with NEM.

NEM stated that the disclosure of the total volume purchased from NEM, and the total amount paid to NEM, including any penalty, is highly competitive confidential and proprietary information to NEM. NEM stated that public disclosure of the NEM Information would provide competitors of NEM access to information valuable to them in making their own competitive decisions, without the competitors expending the time and money necessary to gather and develop the information, which, in turn, will directly harm NEM’s competitive interests. Further, the NEM Information sought is confidential to third parties with whom NEM contracts, and to provide said information requires their consent.

No party objected to the intervention of NEM and the ALJ recommended NEM's Intervention.

PUD stated that they strongly opposed NEM's Motion for Protective Order and presented Brandy L. Wreath for his testimony.

Mr. Wreath testified that during the February 2021 weather emergency, an extraordinary spike in demand occurred, coupled with supply disruptions, that seriously threatened Respondents' ability to obtain the natural gas required to serve their customers. Mr. Wreath testified that as a result, Respondents incurred extraordinary costs in providing critical utility services across Oklahoma.

Mr. Wreath testified that this filing is necessary due to some of the extreme costs related to the weather emergency incurred by the utilities to serve customers and which will be billed to ratepayers in future charges. These costs were not the result of normal market conditions, normal contracting, or normal usage. Therefore, it should be allowable, at some point, for all of the related extreme weather emergency costs to be made available to the public.

Mr. Wreath testified to clarify the information PUD is requesting be made public. PUD would suggest using those costs considered eligible for recovery as storm related regulatory assets or securitization be disclosed. This would include, but not be limited to, the following:

A. The total amount each Respondents paid to each provider for:

- i. The natural gas commodity
- ii. Transportation services
- iii. Transmission services
- iv. Storage related expenses
- v. Purchased Power
- vi. Other related expenses by type and provider

B. Any penalties related to each category above should be listed out separately by provider and penalty type. If each Respondent is of the belief that there are barriers, including any legal prohibitions, that would prevent them from immediately filing the information, each Respondent should be required to provide the specific reasons.

Mr. Wreath testified that concerns regarding the costs associated with this weather emergency supports a conclusion that this information should be made available to the public. Mr. Wreath testified that traditionally, purchase information is maintained as confidential for an extended period of time because premature disclosure of contracting terms would ultimately harm ratepayers in future bid processes. Providing the information can reveal to competitors how close they were to winning a bid and could serve to reduce competition in future requests for bid. Winning bidders would also have a clearer picture of how much higher they could have bid for certain contracts and still have been chosen as having the winning bid. This only serves to harm ratepayers going forward. However, this weather emergency has been identified as an anomaly, even by the utilities. Some have even called it a 'hundred year storm.' Therefore, PUD recommends the information should be made publicly available as soon as legally permissible.

Mr. Wreath testified that the public has an interest in this information being made public. Mr. Wreath testified that ratepayers have contacted PUD wanting to know who will receive the funds for the purchases the utilities made during the weather emergency, and PUD agrees this is a reasonable request to fulfill once legally permissible to do so. Therefore, Mr. Wreath testified that a protective order defeats the purpose of the cause as it was made clear nothing confidential should be provided. Mr. Wreath also testified that a protective order in this cause should not be allowed to protect data that is not otherwise protected by a pre-existing legal limitation.

Mr. Wreath testified that PUD believes each utility should be required to reveal the information, but if the utility's position is that disclosing the information is not legally permissible, the utility should be required to explain with specificity the legal prohibition and when the information will be able to be released. Mr. Wreath testified this is critical to make it clear to the public that the OCC is not "hiding" information to protect parties, but rather maintaining compliance with the law. Each utility should cite any legal limitation prohibiting immediate disclosure of any singular piece of information. Any assertion that disclosure is legally prohibited or limited should be required to be supported by documentation viewable by PUD for verification onsite at the utility. That will allow the public to know when each data point can, or will, be made public at some time in the future.

Mr. Wreath testified that PUD is not requesting utilities provide contract or settlement level information based on individual purchases or services. Mr. Wreath testified that PUD is merely requesting disclosure of the amount of extreme weather emergency costs paid to each provider for the commodity, transport, service, purchase power, or other expenses related to the emergency. PUD is not requesting expense amounts be tied to volumes purchased if that is the limiting factor for disclosure.

Mr. Wreath testified that PUD believes each respondent should be required to file information in this Cause as requested above for posting to the Commission website. PUD also recommends Respondents be required to file information in this Cause stating why any piece of the requested information is not available, along with a reference to the document, rule, or legal provision upon which the Respondent is relying in asserting that limitation, and when it may be available in the future.

No other party either objected to or had a response to NEM's Motion for Protective Order or PUD's objection. Based on the arguments of the parties the ALJ denied NEM's Motion for Protective Order.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

THE COMMISSION FINDS that it has jurisdiction over this matter by virtue of Art. IX, § 18 of the Constitution of the State of Oklahoma, Title 51 O.S. §24 A.22, and 17 O.S. § 151 et seq.

THE COMMISSION FURTHER FINDS that notice was proper and given as required by law and the rules of the Commission.

THE COMMISSION FURTHER FINDS that on January 7, 2022 PUD filed the Application of Brandy L. Wreath, Director of the Public Utility Division, Oklahoma Corporation



Commission, to publicly disclose certain documents and information related to the extreme weather emergency of February 2021.

THE COMMISSION FURTHER FINDS that Application of PUD requested the following specific relief that each Respondent should make public the following information from and including February 7, 2021, through February 21, 2021, related to the weather emergency:

A. The total amount each Respondents paid to each provider for:

- i. The natural gas commodity
- ii. Transportation services
- iii. Transmission services
- iv. Storage related expenses
- v. Purchased Power
- vi. Other related expenses by type and provider

B. Any penalties related to each category above should be listed out separately by provider and penalty type. If each Respondent is of the belief that there are barriers, including any legal prohibitions, that would prevent them from immediately filing the information, each Respondent should be required to provide the specific reasons.

THE COMMISSION FURTHER FINDS that on January 25, 2022, NextEra Energy Marketing, LLC (“NEM”) filed a combined Motion for Limited Intervention and Motion for Protective Order.

THE COMMISSION FURTHER FINDS that a hearing on NEM’s Motions was held on January 31, 2022.

THE COMMISSION FURTHER FINDS that no party objected to NEM’s intervention.

THE COMMISSION FURTHER FINDS that NEM stated that the disclosure of the total volume purchased from NEM, and the total amount paid to NEM, including any penalty, is highly competitive confidential and proprietary information to NEM. NEM stated that public disclosure of the NEM Information would provide competitors of NEM access to information valuable to them in making their own competitive decisions, without the competitors expending the time and money necessary to gather and develop the information, which, in turn, will directly harm NEM’s competitive interests. Further, the NEM Information sought is confidential to third parties with whom NEM contracts, and to provide said information requires their consent.

THE COMMISSION FURTHER FINDS that the Oklahoma Open Records Act, 51 O.S. §24A.1, et seq., states the purpose of the act is to ensure and facilitate the public’s right of access to and review of government records so the public may efficiently and intelligently exercise their inherent political power.

THE COMMISSION FURTHER FINDS that the Oklahoma Legislature has allowed the Commission a specific exception to the Oklahoma Open Records Act, allowing limited information to be kept confidential:

The Corporation Commission shall keep confidential those records of a public utility, its affiliates, suppliers and customers which the Commission determines are confidential books and records or trade secrets. 51 O.S. §24A.22(A).

THE COMMISSION FURTHER FINDS that the Commission has given consideration to the specific request set forth in the Motion for protective order brought forth in this Cause.

THE COMMISSION FURTHER FINDS that the protective order requested by NEM, should not be issued in this Cause based on the testimony provided by the Public Utility Division.

THE COMMISSION FURTHER FINDS that traditionally, purchase information has been requested to be kept confidential for an extended period of time because premature disclosure of contracting terms would ultimately harm ratepayers in future bid processes. Providing the information can reveal to competitors how close they were to winning a bid and could serve to reduce competition in future requests for bid. Winning bidders would also have a clearer picture of how much higher they could have bid for certain contracts and still have been chosen as having the winning bid. This only serves to harm ratepayers going forward. However, this weather emergency has been identified as an anomaly, even by the utilities. Some have even called it a 'hundred year storm.'

THE COMMISSION FURTHER FINDS that each utility should be required to reveal the information sought by PUD, but if the utility's position is that disclosing the information is not legally permissible, the utility should be required to explain with specificity the legal prohibition and when the information will be able to be released. Each utility should cite any legal limitation prohibiting immediate disclosure of any singular piece of information. Any assertion that disclosure is legally prohibited or limited should be required to be supported by documentation viewable by PUD for verification onsite at the utility. That will allow the public to know when each data point can, or will, be made public at some time in the future.

THE COMMISSION FURTHER FINDS that PUD is not requesting utilities provide contract or settlement level information based on individual purchases or services. PUD is merely requesting disclosure of the amount of extreme weather emergency costs paid to each provider for the commodity, transport, service, purchase power, or other expenses related to the emergency. PUD is not requesting expense amounts be tied to volumes purchased if that is the limiting factor for disclosure.

THE COMMISSION FURTHER FINDS that the public has an interest in this information being made public.

### **ORDER**

THE COMMISSION THEREFORE ORDERS that NextEra Energy Market, LLC's Motion for Limited Intervention is hereby granted.

THE COMMISSION FURTHER ORDERS that NextEra Energy Market, LLC's Motion for Protective Order is hereby denied.

THIS ORDER SHALL BE EFFECTIVE immediately.

CORPORATION COMMISSION OF OKLAHOMA

*Dana L. Murphy*  
DANA L. MURPHY, CHAIRMAN

BOB ANTHONY, VICE CHAIRMAN

*J. Todd Hiatt*  
J. TODD HIETT, COMMISSIONER

CERTIFICATION

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 10th day of February, 2022.

BY ORDER OF THE COMMISSION:



*Peggy Mitchell*  
PEGGY MITCHELL, Commission Secretary

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, )  
TO PUBLICLY DISCLOSE CERTAIN )  
DOCUMENTS AND INFORMATION RELATED )  
TO THE EXTREME WEATHER EMERGENCY )  
OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
FEB 01 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**PUBLIC SERVICE COMPANY OF OKLAHOMA'S RESPONSE TO Data Request GMR-1**

**Question No. GMR 1-1:**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - o The natural gas commodity
  - o Transportation services
  - o Transmission services
  - o Storage related expenses
  - o Purchased Power
  - o Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**Response No. GMR 1-1:**

Please refer to PUD GMR 1-1 Attachment I.

Witness: Jason M. Stegall

Title: Reg Pricing & Analysis Mgr

Witness: Heather M. Whitney

Title: Dir Regulatory Acctg Svcs

Witness: Clinton M. Stutler

Title: Natural Gas & Fuel Oil Mgr

Date Response Provided: 2/1/2022



Utility Name: Public Service Company of Oklahoma		Expense Type: Natural Gas Commodity
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid
Clearwater Enterprises, LLC	\$0	\$2,993,921
Eco-Energy Natural Gas, LLC	\$0	\$22,621,675
Enable Energy Resources, LLC	\$0	\$126,405
Koch Energy Services, LLC	\$0	\$8,582,931
Macquarie Energy LLC	\$0	\$15,369,068
Mercuria Energy America, LLC	\$0	\$21,099,731
NextEra Energy Marketing, LLC	\$0	pending motion
Sequent Energy Management, L.P.	\$0	\$1,346
Southwest Energy, L.P.	\$0	\$1,933,024
Spire Marketing Inc.	\$0	\$3,908,650
Tenaska Marketing Ventures	\$0	\$72,393,312
United Energy Trading LLC	\$0	\$1,427

Utility Name: Public Service Company of Oklahoma		Expense Type: Purchased Power
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid
Calpine Oneta Power, LLC	\$0	\$1,440,061
Exelon Generation Company, LLC	\$0	\$73,761,323
Westar Energy, Inc.	\$0	\$19,153,788
Southwest Power Pool	\$0	\$416,686,804

Utility Name: Public Service Company of Oklahoma		Expense Type: Natural Gas Balancing (Imbalances)
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid
XXXXXXXXXXXX	XXXXXXX	XXXXXXX

Confidentiality provision of the agreement with this vendor prohibits disclosure without consent of the vendor and the vendor does not consent to disclosure.

**CERTIFICATE OF ELECTRONIC SERVICE**

This is to certify that a true and correct copy of the above and foregoing was e-mailed to parties of record.

  
\_\_\_\_\_  
Jack P. Fite



Utility Name: Public Service Company of Oklahoma		Expense Type: Purchased Power	
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid	
Calpine Oneta Power, LLC	\$0	\$1,440,061	
Exelon Generation Company, LLC	\$0	\$73,761,323	
Westar Energy, Inc.	\$0	\$19,153,788	
Southwest Power Pool	\$0	\$416,686,804	

**FILED**  
FEB 07 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

Utility Name: Public Service Company of Oklahoma		Expense Type: Natural Gas Commodity
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid
Clearwater Enterprises, LLC	\$0	\$2,993,921
Eco-Energy Natural Gas, LLC	\$0	\$22,621,675
Enable Energy Resources, LLC	\$0	\$126,405
Koch Energy Services, LLC	\$0	\$8,582,931
Macquarie Energy LLC	\$0	\$15,369,068
Mercuria Energy America, LLC	\$0	\$21,099,731
NextEra Energy Marketing, LLC	\$0	\$18,754,496
Sequent Energy Management, L.P.	\$0	\$1,346
Southwest Energy, L.P.	\$0	\$1,933,024
Spire Marketing Inc.	\$0	\$3,908,650
Tenaska Marketing Ventures	\$0	\$72,393,312
United Energy Trading LLC	\$0	\$1,427

Utility Name: Public Service Company of Oklahoma		Expense Type: Natural Gas Balancing (Imbalances)
Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid
Enable Oklahoma Intrastate Transmission, LLC	\$0	\$14,288,303

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO ) CAUSE NO. PUD 202200003  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

**PUBLIC UTILITY DIVISION'S DATA REQUEST TO  
RESPONDENTS**

TO: Canadian Valley Electric Cooperative, Inc.  
11277 North Highway 99  
Seminole, Oklahoma 74868

**FILED**  
FEB 01 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**Data Request GMR-1**  
**Cause No. PUD 202200003**

**To:** Oklahoma Natural Gas (“Oklahoma Natural”), Oklahoma Gas & Electric Company (OG&E), Public Service Company of Oklahoma (PSO), CenterPoint Energy Resources Corp. D/b/a CenterPoint Energy Oklahoma Gas Company (CenterPoint), Summit Utilities, Inc. (Summit), Arkansas Oklahoma Gas Corporation (AOG), Empire District Electric Company (Liberty-Empire), Ft. Cobb Fuel Authority, LLC (Ft. Cobb), Panhandle Natural Gas (Panhandle), Canadian Valley Electric Cooperative (CVEC)

**From:** Geoffrey M. Rush, Policy Advisor, Oklahoma Corporation Commission

**Date:** 1/12/2022

**Due Date:** 2/1/2022

**Subject:** Extreme Purchases and Extraordinary Cost,

**PUD GMR 1-1**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.



**RESPONSE to DATA REQUEST PUD GMR 1-1:** On or about November 20, 2021, Canadian Valley Electric Cooperative paid Western Farmers Electric Cooperative \$15,969,775.55 for extraordinary purchased power costs and \$313,935.51 for related gross receipts tax expense, all related to the extreme weather period described above. Canadian Valley does not possess volumetric information tied to these charges.

**Canadian Valley Electric Cooperative      Expense type: Purchase Power**

Provider	Penalty	Total Paid	Volumetric	Confidentiality
Western Farmers Electric Cooperative	none	\$15,969,775.55	NA	none asserted

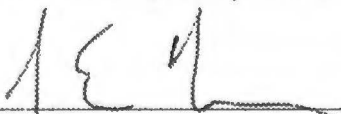
**Canadian Valley Electric Cooperative      Expense type: Related Expense – GRT\***

Provider	Penalty	Total Paid	Volumetric	Confidentiality
Western Farmers Electric Cooperative	none	\$313,935.51	NA	none asserted

\*Gross Receipts Tax Expenses

I, the undersigned, certify that I have the authority to submit the above response to the data request, that the information provided to PUD is accurate and complete and contains no material misrepresentation or omission to the best of my knowledge and belief. I further affirm I understand and will comply with OAC 165:5-11-1(e)(9) and will immediately supplement this response as required and for any matters discovered that would materially affect the accuracy or completeness of the information.

Response to Data Request prepared by Signature:

  
 \_\_\_\_\_  
 J. Eric Turner  
 Attorney for Canadian Valley Electric  
 Cooperative

Name of Party on whose behalf response was prepared: **Canadian Valley Electric Cooperative**

Name of administrative unit of equivalent that maintains the information or data from which the above response was prepared: CVEC Finance Department.

Date Response Provided: February 1, 2022.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been mailed electronically to all parties of record on this 1st day of February, 2022.

Michael L. Velez  
Oklahoma Corporation Commission  
Jim Thorpe Building  
2101 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105  
[Michael.Velez@occ.ok.gov](mailto:Michael.Velez@occ.ok.gov)

William Humes  
Kimber Shoop  
Oklahoma Gas & Electric Company  
PO Box 321, MC 1208  
Oklahoma City, OK 73101-0321  
[humeswl@ohe.com](mailto:humeswl@ohe.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Office of Attorney General  
Attn: Utility Regulations Unit  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
[utilityregulation@oag.ok.gov](mailto:utilityregulation@oag.ok.gov)

Jack P. Fite  
White, Coffey & Fite, PC  
2200 NW 50th Street, Ste. 210E  
Oklahoma City, OK 73112  
[jfite@wcfglaw.com](mailto:jfite@wcfglaw.com)

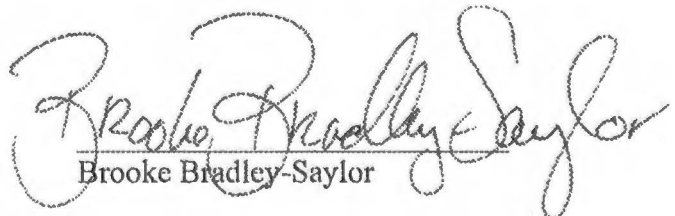
Dustin Fredrick  
Oklahoma Natural Gas  
PO Box 401  
Oklahoma City, OK 73101  
[Dustin.fredrick@onegas.com](mailto:Dustin.fredrick@onegas.com)

Joann S. Worthington  
American Electric Power  
1601 NW Expressway, Ste 1400  
Oklahoma City, OK 73118-1116  
[jtstevenson@aep.com](mailto:jtstevenson@aep.com)

Curtis M. Long  
J. Dillon Curran  
Anna McNeil  
Conners & Winters, LLP  
1700 One Leadership Square  
Oklahoma City, OK 73102-7261  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)  
[amcneil@cwlaw.com](mailto:amcneil@cwlaw.com)

Kenneth A. Tillotson  
Director of Legal Services  
Liberty Utilities (Central Region)  
602 S. Joplin Ave.  
Joplin, MO 64818  
[Kenneth.tillotson@libertyutilities.com](mailto:Kenneth.tillotson@libertyutilities.com)

J. Roger Henson  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

  
Brooke Bradley-Saylor

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY )  
DIVISION OF THE CORPORATION )  
COMMISSION, TO PUBLICLY DISCLOSE ) CAUSE NO. PUD 202200003  
CERTAIN DOCUMENTS AND INFORMATION )  
RELATED TO THE EXTREME WEATHER )  
EMERGENCY OF FEBRUARY 2021 )

**FILE**  
FEB 04 2022  
COURT CLERK'S OFFICE - C  
CORPORATION COMMISSION  
OF OKLAHOMA

**SUO'S RESPONSE TO THE PUBLIC UTILITY DIVISION'S EXTREME PURCHASES  
AND EXTRAORDINARY COST DATA REQUESTS**

COME NOW Summit Utilities Oklahoma, Inc. ("SUO"), and hereby submits its responses to the Public Utility Division's data requests related to the February 2021 Winter Storm Event as follows:

**Response No. GMR 1-1: see Attachment 1**

/s/ Dillon Curran  
Curtis M. Long, OBA No. 5504  
J. Dillon Curran, OBA No. 19442  
Anna McNeil, OBA No. 34722  
CONNER & WINTERS, LLP  
1700 One Leadership Square  
211 North Robinson  
Oklahoma City, OK 73102  
Phone: 405-272-5711  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)  
[amcneil@cwlaw.com](mailto:amcneil@cwlaw.com)

**ATTORNEYS FOR SUMMIT UTILITIES  
OKLAHOMA, INC.**

## CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of February, 2022, a full, true, and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152  
[Mike.velez@occ.ok.gov](mailto:Mike.velez@occ.ok.gov)

Brandy L. Wreath  
Director of the Public Utility Division  
Oklahoma Corporation Commission  
Jim Thorpe Building  
2101 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105  
[PUDEnergy@occ.ok.gov](mailto:PUDEnergy@occ.ok.gov)

Jared B. Haines  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105-4894  
[Jared.Haines@oag.ok.gov](mailto:Jared.Haines@oag.ok.gov)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

J. Eric Turner  
Adam J. Singer,  
Adam J. Singer Derryberry & Naifeh LLP  
4800 N. Lincoln Blvd.  
Oklahoma City, OK 73105  
Canadian Valley  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

Jack P. Fite  
White, Coffey & Fite, PC  
9520 N. May Avenue, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

William L. Humes  
Kimber L. Shoop  
Oklahoma Gas & Electric Company  
P.O. Box 321, MC 1208  
Oklahoma City, OK 73101  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Joann S. Worthington  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118  
[jstevenson@aep.com](mailto:jstevenson@aep.com)

J. Roger Henson  
J. Roger Henson, PLLC  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

/s/ Dillon Curran

**OKLAHOMA CORPORATION COMMISSION**  
**Cause No. PUD 202200003**

**2022 Public Disclosure of Information Related to Winter Weather Emergency of 2021**  
**REQUEST NO.: PUD GMR 1-1**

**COMPANY NAME:** None  
**DATE RECEIVED:** 1/12/2022  
**DATE DUE:** 1/26/2022  
**EXTENSION DATE:**  
**INFORMATION REQUESTED:**

**PUD GMR 1-1**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
  
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**REQUESTED BY:** Oklahoma Corporation Commission  
**RESPONSE:**

Expenses related to the weather emergency time period from February 7, 2021 through February 21, 2021 are related to natural gas commodity listed below. There are no other expenses or penalties.

Volumes of gas purchased are not provided because disclosing volumes along with gross amounts paid might lead to or facilitate the disclosure of the price paid for gas on a unit of volume basis. The price respondent pays for gas should remain confidential because disclosure might put Respondent at a competitive disadvantage and such disadvantage might harm Respondent's customers by, among other reasons, leading to higher fuel costs.

In October 2021, the Company settled certain legal disputes that caused the Company to seek alternate supplies of gas that sold at premium rates during the winter storm. The Company received settlements in the amount of \$3,182,022. The Company is offsetting the Extreme Purchase Costs with these credits, effectively reducing the proposed Extreme Purchase Costs from approximately \$78.9 to \$75.7 million.

**Utility Name: Summit Utilities Oklahoma**

**Expense Type: Natural Gas Commodity**



Provider/Seller/Service Provider Name	Penalties Paid	Total Expense Paid	Volumetric if Publicly Disclosable
CONTINENTAL RESOURCES	0.00	\$18,873,500.00	
KOCH ENERGY	0.00	\$1,779,786.11	
MACQUARIE	0.00	\$4,358,383.15	
MIECO	0.00	\$104,647.35	
SES	0.00	\$38,880,323.27	
SPIRE MARKETING	0.00	\$82,125.05	
SPOTLIGHT ENERGY	0.00	\$2,241,382.29	
SW ENERGY	0.00	\$12,413,740.72	
TARGA GAS MKT	0.00	\$126,639.80	

**SPONSOR:**

Jeffrey Toys

*By providing this data request response, the person responding certifies the information provided to the Public Utility Division is accurate and complete and contains no material misrepresentation or omission to the knowledge of the respondent to the data request. Pursuant to Oklahoma Corporation Commission Rule 165:5-11-1(e) (7), the respondent shall immediately supplement this response as required and for any matters discovered which would materially affect the accuracy or completeness of the information.*

**Signature of Company Representative**

*Stephanie Harrison*

**DATE PROVIDED:**

**02/04/2022**

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY )  
DIVISION OF THE CORPORATION )  
COMMISSION, TO PUBLICLY DISCLOSE )  
CERTAIN DOCUMENTS AND INFORMATION )  
RELATED TO THE EXTREME WEATHER )  
EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
FEB 04 2022

COURT CLERK'S OFFICE - O  
CORPORATION COMMISSIC  
OF OKLAHOMA

**AOG'S RESPONSE TO THE PUBLIC UTILITY DIVISION'S EXTREME PURCHASES  
AND EXTRAORDINARY COST DATA REQUESTS**

COME NOW Arkansas Oklahoma Gas Corporation ("AOG"), and hereby submits its responses to the Public Utility Division's data requests related to the February 2021 Winter Storm Event as follows:

**Response No. GMR 1-1:** see Attachment 1

/s/ Dillon Curran

Curtis M. Long, OBA No. 5504  
J. Dillon Curran, OBA No. 19442  
Anna McNeil, OBA No. 34722  
CONNER & WINTERS, LLP  
1700 One Leadership Square  
211 North Robinson  
Oklahoma City, OK 73102  
Phone: 405-272-5711  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)  
[amcneil@cwlaw.com](mailto:amcneil@cwlaw.com)

**ATTORNEYS FOR ARKANSAS OKLAHOMA  
GAS CORPORATION**

## CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of February, 2022, a full, true, and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152  
[Mike.velez@occ.ok.gov](mailto:Mike.velez@occ.ok.gov)

Brandy L. Wreath  
Director of the Public Utility Division  
Oklahoma Corporation Commission  
Jim Thorpe Building  
2101 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105  
[PUDEnergy@occ.ok.gov](mailto:PUDEnergy@occ.ok.gov)

Jared B. Haines  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105-4894  
[Jared.Haines@oag.ok.gov](mailto:Jared.Haines@oag.ok.gov)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

J. Eric Turner  
Adam J. Singer,  
Adam J. Singer Derryberry & Naifeh LLP  
4800 N. Lincoln Blvd.  
Oklahoma City, OK 73105  
Canadian Valley  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

Jack P. Fite  
White, Coffey & Fite, PC  
9520 N. May Avenue, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

William L. Humes  
Kimber L. Shoop  
Oklahoma Gas & Electric Company  
P.O. Box 321, MC 1208  
Oklahoma City, OK 73101  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Joann S. Worthington  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118  
[jstevenson@aep.com](mailto:jstevenson@aep.com)

J. Roger Henson  
J. Roger Henson, PLLC  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

/s/ Dillon Curran

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO ) CAUSE NO. PUD 202200003  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

ARKANSAS OKLAHOMA GAS CORPORATIONS RESPONSE TO PUBLIC UTILITY  
DIVISION'S DATA REQUEST

PUD GMR 1-1

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
  
- Any penalties related to each category above should be listed out separately by provider and penalty type.

RESPONSE:

The table below lists the total natural gas commodity paid per supplier from February 7, 2021 to February 21, 2021. AOG did not pay any penalties. Additionally, AOG has not provided volumes below. Such information, combined with total expenses, could potentially be mathematically deconstructed to determine contractual terms. As noted, in Mr. Wreath's testimony, such information could harm ratepayers in future bidding processes.

<u>Arkansas Oklahoma Gas Corporation</u>			<u>Expense: Natural Gas Commodity</u>
<b>Providers</b>	<b>Penalty</b>	<b>Total Expenses Paid</b>	
BP	\$0	\$ 2,225,421.54	
Element Markets	\$0	\$ 51,244.48	

Stephens Production*	\$0	\$	1,925,223.30
Spire Marketing	\$0	\$	42,023,756.98
Tenaska Marketing	\$0	\$	49,140,453.21
Williford*	\$0	\$	854.45
Camterra*	\$0	\$	13,683.93
Hanna Oil & Gas*	\$0	\$	10,701.18
Crown*	\$0	\$	3,233.35
Foundation*	\$0	\$	4,473.96
Webb*	\$0	\$	32,987.38
Merit*	\$0	\$	33,497.10
Titan*	\$0	\$	4,133.48
Jaco*	\$0	\$	1,183.96
Stigler*	\$0	\$	3,696.14
Wentworth*	\$0	\$	346.34
Black Hills Energy*	\$0	\$	29,818.58

\*Daily reads for these suppliers are not available and the amounts are estimates.

**Witness: Walt McCarter**

**Title: Manager of Gas Supply and Contracts**

By providing this response, the person responding certifies the information provided to PUD is accurate and complete and contains no material misrepresentation or omission to the knowledge of the respondent to the data request. Pursuant to Oklahoma Corporation Commission Rule OAC 165:5-11-1(e)(10), the respondent shall immediately supplement this response as required and for any matters discovered that would materially affect the accuracy or completeness of the information.

Data Request Respondent's Signature:     /s/ Brooke South Parsons    

Data Request Respondent's Printed Name:     Brooke South Parsons    

Data Request Respondent's Phone Number:     479-462-1178    

Date Response Provided:     02/04/2022



BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
FEB 04 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

PANHANDLE NATURAL GAS, INC.'S  
SUBMISSION OF EXTRAORDINARY NATURAL GAS COST  
ASSOCIATED WITH THE EXTREME WINTER WEATHER IN FEBRUARY 2021

Attached hereto is a schedule detailing the extraordinary natural gas cost incurred by Panhandle Natural Gas, Inc. associated with the extreme winter weather during February 2021.

By:   
\_\_\_\_\_  
Ron Comingdeer, OBA #1835  
Ron Comingdeer & Associates, PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
Telephone: (405) 848-5534  
Fax: (405) 400-2429  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)

Attorney for Panhandle Natural Gas, Inc.

PUD 202200003

<u>Panhandle Natural Gas, Inc.</u>		<u>Expense Type:</u>		
<u>Provider/Seller/Service Provider Name</u>	<u>Penalties Paid</u>	<u>Total Expense Paid</u>	<u>Volumetric if Publicly Disclosable</u>	<u>The Legal Cite Requiring Confidentiality if Not Disclosable</u>
Crown Midstream, LLC - Camrick Plant	none	\$ 32,591.54	Not Disclosable	OCC Order No. 721266
Pro Energy Solutions	none	\$ 26,698.15	Not Disclosable	OCC Order No. 721266
Total amount of extraordinary gas cost in regulatory asset per OCC Order No. 717658		<u>\$ 59,289.69</u>		

CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of February, 2022, a full, true and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez <a href="mailto:Michael.Velez@occ.ok.gov">Michael.Velez@occ.ok.gov</a>	J. Dillon Curran <a href="mailto:dcurran@cwlaw.com">dcurran@cwlaw.com</a>
Brandy L. Wreath <a href="mailto:PUDFenergy@occ.ok.gov">PUDFenergy@occ.ok.gov</a>	Anna McNeil <a href="mailto:amcneil@cwlaw.com">amcneil@cwlaw.com</a>
Jared B. Haines <a href="mailto:Jared.Haines@oag.ok.gov">Jared.Haines@oag.ok.gov</a>	Kenneth A. Tillotson <a href="mailto:Kenneth.tillotson@libertyutilities.com">Kenneth.tillotson@libertyutilities.com</a>
J. Eric Turner <a href="mailto:eturner@derryberrylaw.com">eturner@derryberrylaw.com</a>	Joann S. Worthington <a href="mailto:jtstevenson@aep.com">jtstevenson@aep.com</a>
Adam J. Singer <a href="mailto:asinger@derryberrylaw.com">asinger@derryberrylaw.com</a>	J. Roger Henson <a href="mailto:roger@jrhensonlaw.com">roger@jrhensonlaw.com</a>
Jack P. Fite <a href="mailto:jfite@wegflaw.com">jfite@wegflaw.com</a>	James A. Roth <a href="mailto:jaroath@phillipsmurrah.com">jaroath@phillipsmurrah.com</a>
William L. Humes <a href="mailto:humeswl@oge.com">humeswl@oge.com</a>	Marc Edwards <a href="mailto:medwards@phillipsmurrah.com">medwards@phillipsmurrah.com</a>
Kimber L. Shoop <a href="mailto:Shoopkl@oge.com">Shoopkl@oge.com</a>	C. Eric Davis <a href="mailto:cedavis@phillipsmurrah.com">cedavis@phillipsmurrah.com</a>
Curtis M. Long <a href="mailto:clong@cwlaw.com">clong@cwlaw.com</a>	Travis E. Harrison <a href="mailto:teharrison@phillipsmurrah.com">teharrison@phillipsmurrah.com</a>

  
\_\_\_\_\_  
Ron Comingdeer  
RON COMINGDEER & ASSOCIATES, PC  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
FEB 04 2022

COURT CLERK'S OFFICE - OKLAHOMA  
CORPORATION COMMISSION  
OF OKLAHOMA

**FORT COBB FUEL AUTHORITY, LLC'S**  
**SUBMISSION OF EXTRAORDINARY NATURAL GAS COST**  
**ASSOCIATED WITH THE EXTREME WINTER WEATHER IN FEBRUARY 2021**

Attached hereto is a schedule detailing the extraordinary natural gas cost incurred by Fort Cobb Fuel Authority, LLC associated with the extreme winter weather during February 2021.

By:   
Ron Comingdeer, OBA #1835  
Ron Comingdeer & Associates, PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
Telephone: (405) 848-5534  
Fax: (405) 400-2429  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)

Attorney for Fort Cobb Fuel Authority, LLC

PJD 202200063

Fort Cobb Fuel Authority, LLC		Expense Type:		
Provider/Seller/Service Provider Name	Penalties Paid*	Total Expense Invoiced by Commodity Suppliers and Paid**	Volumetric if Publicly Disclosable	The Legal Cite Requiring Confidentiality if Not Disclosable
Symmetry/CenterPoint		\$ 1,342.57	Not Publicly Disclosable	OCC Order No. 717508
Clearwater DNG		\$ 25,227.41	Not Publicly Disclosable	OCC Order No. 717508
Clearwater		\$ 383,824.44	Not Publicly Disclosable	OCC Order No. 717508
CenterPoint		\$ 258.75	Not Publicly Disclosable	OCC Order No. 717508
Petrol Energy		\$ 15,702.98	Not Publicly Disclosable	OCC Order No. 717508
Summation		\$ 426,356.15		

\*Fort Cobb is not aware of being charged penalties for excessive supply (e.g. - exceeding reservation volumes)



CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of February, 2022, a full, true and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez <a href="mailto:Michael.Velez@occ.ok.gov">Michael.Velez@occ.ok.gov</a>	J. Dillon Curran <a href="mailto:dcurran@cwlaw.com">dcurran@cwlaw.com</a>
Brandy L. Wreath <a href="mailto:PUDEnergy@occ.ok.gov">PUDEnergy@occ.ok.gov</a>	Anna McNeil <a href="mailto:amcneil@cwlaw.com">amcneil@cwlaw.com</a>
Jared B. Haines <a href="mailto:Jared.Haines@oag.ok.gov">Jared.Haines@oag.ok.gov</a>	Kenneth A. Tillotson <a href="mailto:Kenneth.tillotson@libertyutilities.com">Kenneth.tillotson@libertyutilities.com</a>
J. Eric Turner <a href="mailto:eturner@derryberrylaw.com">eturner@derryberrylaw.com</a>	Joann S. Worthington <a href="mailto:jstevenson@aep.com">jstevenson@aep.com</a>
Adam J. Singer <a href="mailto:asinger@derryberrylaw.com">asinger@derryberrylaw.com</a>	J. Roger Henson <a href="mailto:roger@jrhensonlaw.com">roger@jrhensonlaw.com</a>
Jack P. Fite <a href="mailto:jfite@wccflaw.com">jfite@wccflaw.com</a>	James A. Roth <a href="mailto:jaroth@phillipsmurrah.com">jaroth@phillipsmurrah.com</a>
William L. Humes <a href="mailto:humeswl@oge.com">humeswl@oge.com</a>	Marc Edwards <a href="mailto:medwards@phillipsmurrah.com">medwards@phillipsmurrah.com</a>
Kimber L. Shoop <a href="mailto:Shoopkl@oge.com">Shoopkl@oge.com</a>	C. Eric Davis <a href="mailto:cedavis@phillipsmurrah.com">cedavis@phillipsmurrah.com</a>
Curtis M. Long <a href="mailto:clong@cwlaw.com">clong@cwlaw.com</a>	Travis E. Harrison <a href="mailto:teharrison@phillipsmurrah.com">teharrison@phillipsmurrah.com</a>

  
\_\_\_\_\_  
Ron Comingdeer  
RON COMINGDEER & ASSOCIATES, PC  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TOI THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILED**  
FEB 04 2022

COURT CLERK'S OFFICE - OKC  
CORPORATION COMMISSION  
OF OKLAHOMA

**OG&E'S RESPONSE TO THE PUBLIC UTILITY DIVISION'S  
EXTREME PURCHASES AND EXTRAORDINARY COST DATA REQUESTS**

COMES NOW Oklahoma Gas and Electric Company ("OG&E"), and hereby submits its responses to the Public Utility Division's data requests related to the February 2021 Winter Storm Event as follows:

**Question No. GMR 1-1:**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - o The natural gas commodity
  - o Transportation services
  - o Transmission services
  - o Storage related expenses
  - o Purchased Power
  - o Other related expenses by type and provider
  
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**Response No. GMR 1-1:**

Please refer to PUD GMR 1-1 Attachment I.

Respectfully submitted,



---

William L. Humes, OBA No. 15264  
Kimber L. Shoop, OBA No. 19571  
Oklahoma Gas and Electric Company  
P.O. Box 321  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)  
[reginfo@oge.com](mailto:reginfo@oge.com)

**ATTORNEYS FOR OKLAHOMA GAS AND  
ELECTRIC COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of February 2022, a true and correct copy of the foregoing was electronically transmitted to:

Michael L. Velez  
Geoffrey M. Rush  
Oklahoma Corporation Commission  
Public Utility Division  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152-2000  
[Michael.Velez@occ.ok.gov](mailto:Michael.Velez@occ.ok.gov)  
[Geoffrey.Rush@occ.ok.gov](mailto:Geoffrey.Rush@occ.ok.gov)

Jack P. Fite  
White, Coffey, & Fite PC  
2200 NW 50<sup>th</sup> Street, Suite 210E  
Oklahoma City, OK 73112  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

JoAnn Worthington  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118-1116  
[jtstevenson@aep.com](mailto:jtstevenson@aep.com)

Kenneth A. Tillotson  
Director of Legal Services  
Liberty Utilities (Central Region)  
602 S. Joplin Ave.  
Joplin, MO 64818  
[Kenneth.Tillotson@libertyutilities.com](mailto:Kenneth.Tillotson@libertyutilities.com)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Rd.  
Oklahoma City, OK 73162  
[Hunter@comingdeerlaw.com](mailto:Hunter@comingdeerlaw.com)

Jared Haines  
A Chase Snodgrass  
Office of Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105  
[jared.haines@oag.ok.gov](mailto:jared.haines@oag.ok.gov)  
[Chase.snodgrass@oag.ok.gov](mailto:Chase.snodgrass@oag.ok.gov)

Dustin Fredrick  
Oklahoma Natural Gas  
P.O. Box 401  
Oklahoma City, Oklahoma 73101  
[Dustin.Fredrick@onegas.com](mailto:Dustin.Fredrick@onegas.com)

Curtis M. Long  
J. Dillon Curran Conner  
& Winters, LLP  
1700 One Leadership Square Oklahoma  
City, Oklahoma 73102-7261  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)

J. Roger Hensen, PLLC  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

J. Eric Turner  
Adam J. Singer  
Derryberry & Naifeh, LLP  
4800 N. Lincoln Blvd.  
Oklahoma City, OK 73105  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)



William L. Humes

OG&E Provider	Expense Type: Natural Gas Commodity Total Expense Paid
Blue Mountain Midstream LLC	\$ 12,565,750
Cimarex Energy Co.	\$ 16,850,602
Clearwater Enterprises, L.L.C.	\$ 29,334,136
Conexus Energy,LLC	\$ 37,550
ConocoPhillips Company	\$ 23,994,802
Continental Resources	\$ 3,834,375
Devon Gas Services, L.P.	\$ 6,300,555
Eco-Energy	\$ 21,371,223
Enable Energy Resources, LLC	\$ 16,993,423
Koch Energy Services, LLC	\$ 112,608,142
Macquarie Cook Energy, LLC	\$ 15,275,090
Mercuria	\$ 69,957,142
MidCoast Marketing (u.s.l.p)	\$ 69,300
Oneok Field Services Company	\$ 10,292,785
Sequent Energy Management	\$ 44,173,608
Southwest Energy, L.P.	\$ 98,598,486
Spire Marketing, Inc.	\$ 74,150,219
Tenaska Marketing Ventures	\$ 125,428,028
Twin Eagle Resource Mgmt.	\$ 27,161,361
Vitol	\$ 32,919,651



OG&E Provider	Expense Type:      Transportation Services Total Expense Paid
Enable	\$            1,673,610
Oklahoma Gas Transportation	\$            124,039
Oklahoma Natural Gas	\$            31,201
SouthernStar	\$            39,130

OG&E	Expense Type: Storage Related Expenses
Provider	Total Expense Paid
OneOk Gas Storage	\$ 421,736

OG&E	Expense Type: Purchased Power
Provider	Total Expense Paid
Blackwell Wind, LLC	\$ 187,068
CPV Keenan Renewable Energy Company	\$ 214,785
Taloga Wind, LLC	\$ 187,056

OG&E Provider	Expense Type: Total Expense Paid	Other Related Expenses: Overruns
Enable	\$ 28,142	
OneOk Gas Storage	\$ 42,608	

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO )  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS ) CAUSE NO. PUD 202200003  
AND INFORMATION RELATED TO THE )  
EXTREME WEATHER EMERGENCY OF )  
FEBRUARY 2021 )

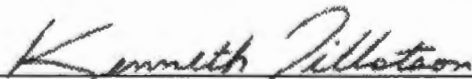
**THE EMPIRE DISTRICT ELECTRIC COMPANY'S RESPONSE TO GMR-1**

COMES NOW The Empire District Electric Company and submits the attached response to the Public Utility Division's Data Request GMR-1.

Respectfully Submitted,

**FILED**  
FEB 07 2022

COURT CLERK'S OFFICE - OF  
CORPORATION COMMISSION  
OF OKLAHOMA

  
KENNETH A. TILLOTSON, OBA No. 19237  
Liberty Utilities - Director of Legal Services  
602 South Joplin Avenue  
Joplin, Missouri 64801  
(417) 768-9140  
kenneth.tillotson@libertyutilities.com

*Counsel for The Empire District Electric Company*



**CERTIFICATE OF SERVICE**

On this 4th day of February, 2022, the undersigned caused to be served by electronic mail a true and correct copy of the foregoing document to all parties of record in this matter.

/s/ Kenneth A. Tillotson



The Empire District Electric Company  
Cause No. PUD 202200003  
Data Request GMR-1

Data Request Received: 01-12-22	Response Date: 02-04-22
Data Request GMR-1	Witness/Respondent: Aaron Doll

Submitted by: Geoffrey M. Rush

**REQUEST:**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**RESPONSE:**

<b>The Empire District Electric Company</b>	<b>Expense Type: Natural Gas Commodity</b>	
Provider/Seller/Service Provider Name	Penalties	Total Expense Paid
BP Energy Company	\$0	\$11,672,522.00
Conexus Energy LLC	\$0	\$52,289,517.00
ETC Marketing, Inc.	\$0	\$183,217.00
Koch Energy Services, LLC	\$0	\$17,524,369.00
Spire Marketing	\$0	\$472,932.00
Tenaska Gas Storage LLC	\$0	\$62,163,980.00



BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY )  
DIVISION OF THE CORPORATION )  
COMMISSION, TO PUBLICLY DISCLOSE )  
CERTAIN DOCUMENTS AND INFORMATION )  
RELATED TO THE EXTREME WEATHER )  
EMERGENCY OF FEBRUARY 2021 )

CAUSE NO. PUD 202200003

**FILE**  
FEB 10 2022  
COURT CLERK'S OFFICE - C  
CORPORATION COMMISSION  
OF OKLAHOMA

**ONG'S SUPPLEMENTAL RESPONSE TO PUBLIC UTILITY DIVISION'S DATA  
REQUEST GMR-ONG-1**

COME NOW Oklahoma Natural Gas, a division of One Gas, Inc. ("ONG"), and hereby submits its supplemental response to the Public Utility Division's data requests related to the February 2021 Winter Storm event as follows:

**Supplemental Response No. GMR 1-1:** see Attachment 1

Dustin R. Fredrick, OBA #19095  
Managing Attorney  
401 North Harvey Avenue  
Oklahoma City, Oklahoma 73102  
(405) 551-6631  
(405) 552-1881 (fax)  
[dustin.fredrick@onegas.com](mailto:dustin.fredrick@onegas.com)

*and*

/s/ Dillon Curran  
Curtis M. Long, OBA No. 5504  
J. Dillon Curran, OBA No. 19442  
Anna McNeil, OBA No. 34722  
CONNER & WINTERS, LLP  
1700 One Leadership Square  
211 North Robinson  
Oklahoma City, OK 73102  
Phone: 405-272-5711  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)

[amcneil@cwlaw.com](mailto:amcneil@cwlaw.com)

**ATTORNEYS FOR OKLAHOMA NATURAL  
GAS COMPANY, A DIVISION OF ONE GAS,  
INC.**



**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of February, 2022, a full, true, and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152  
[Mike.velez@occ.ok.gov](mailto:Mike.velez@occ.ok.gov)

Jack P. Fite  
White, Coffey & Fite, PC  
9520 N. May Avenue, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcgflaw.com](mailto:jfite@wcgflaw.com)

Brandy L. Wreath  
Director of the Public Utility Division  
Oklahoma Corporation Commission  
Jim Thorpe Building  
2101 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105  
[PUDEnergy@occ.ok.gov](mailto:PUDEnergy@occ.ok.gov)

William L. Humes  
Kimber L. Shoop  
Oklahoma Gas & Electric Company  
P.O. Box 321, MC 1208  
Oklahoma City, OK 73101  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Jared B. Haines  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105-4894  
[Jared.Haines@oag.ok.gov](mailto:Jared.Haines@oag.ok.gov)

Joann S. Worthington  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118  
[jstevenson@aep.com](mailto:jstevenson@aep.com)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

J. Roger Henson  
J. Roger Henson, PLLC  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

J. Eric Turner  
Adam J. Singer,  
Adam J. Singer Derryberry & Naifeh LLP  
4800 N. Lincoln Blvd.  
Oklahoma City, OK 73105  
Canadian Valley  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

/s/ Dillon Curran

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
OKLAHOMA CORPORATION COMMISSION, TO ) CAUSE NO. PUD 202200003  
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
INFORMATION RELATED TO THE EXTREME )  
WEATHER EMERGENCY OF FEBRUARY 2021 )

**OKLAHOMA NATURAL GAS COMPANY, A DIVISION OF ONE GAS, INC'S  
("OKLAHOMA NATURAL") SUPPLEMENTAL RESPONSE TO  
PUBLIC UTILITY DIVISION'S ("PUD") DATA REQUEST GMR-ONG-1**

Response Provided By: Cory Slaughter

Date Response Provided: 2/4/2022

**PUD GMR-ONG-1-1**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**RESPONSE:**

Utility Name: Oklahoma Natural		Expense Type: Commodity		
Provider Name	Penalties Paid	Total Expense Paid*	Volumetric if Publicly Disclosable	Legal Cite Requiring Confidentiality if Not Disclosable
Blue Mountain	\$0	\$36,629,405	**	**
Castleton Commodities	\$0	\$133,380	**	**
Chevron	\$0	\$108,736,777	**	**
Conoco	\$0	\$16,500	**	**
Enable Energy Resources	\$0	\$7,516,200	**	**
ETC	\$0	\$93,695,166	**	**
Koch	\$0	\$37,375,375	**	**
Macquarie	\$0	\$118,720,193	**	**
Marabou	\$0	\$185,419	**	**
Mercuria	\$0	\$13,207,150	**	**
NextEra	\$0	\$411,075,931	**	**
OFS	\$0	\$7,200,000	**	**
Sequent	\$0	\$106,401,750	**	**
Spire	\$0	\$3,405,202	**	**
SW Energy	\$0	\$297,161,143	**	**
Tenaska	\$0	\$42,500,843	**	**
Ultimate CNG	\$0	\$140,972	**	**

\* Total Expense Paid is based on the amount requested for Securitization in Cause No. PUD 202100079 and may not reflect the total amount invoiced to each provider.

\*\* PURSUANT TO THE INSTRUCTIONS, OKLAHOMA NATURAL IS USING THE TABLE FORMAT RECOMMENDED BY PUD IN THE DIRECT TESTIMONY OF BRANDY L. WREATH FILED IN THIS CAUSE. HOWEVER, THE DATA REQUEST DOES NOT REQUEST VOLUMETRIC INFORMATION.

The buying and selling of natural gas are done in an unregulated and very competitive market. If ONG is required to disclose this information to the public, then it would be placed at a competitive disadvantage against the other buyers of natural gas because those other buyers are not required to disclose any of their gas purchasing information to the public. Those other buyers of natural gas would be able to review ONG's gas purchasing information and use it to their advantage (and to the disadvantage of ONG and its customers) in competing against ONG for the same gas supplies. If ONG is required to disclose this information to the public, then it also is placed at a competitive disadvantage against the sellers that ONG is attempting to purchase

gas from because those sellers will have ONG's gas purchasing information. These gas sellers would be able to review ONG's gas purchasing information and use it to their advantage (and to the disadvantage of ONG and its customers) in obtaining more advantageous terms or a higher price for the gas they sell to ONG and ONG's customers. But for the public disclosure, sellers of natural gas would not have ONG's gas purchasing information. In addition, if ONG is required to disclose this information to the public, then a seller may be less likely to want to sell gas to ONG, if such is going to result in that seller's otherwise confidential gas sales information being made public. If there are fewer sellers that will sell gas to ONG because ONG's gas supply information is made public, then ONG has fewer gas sellers available to it to buy gas from and such reduces ONG's ability to obtain lower prices for natural gas because it has access to fewer sellers.

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L. WREATH, )  
DIRECTOR OF THE PUBLIC UTILITY )  
DIVISION OF THE CORPORATION )  
COMMISSION, TO PUBLICLY DISCLOSE ) CAUSE NO. PUD 202200003  
CERTAIN DOCUMENTS AND INFORMATION )  
RELATED TO THE EXTREME WEATHER )  
EMERGENCY OF FEBRUARY 2021 )

**FILED**  
FEB 04 2022  
COURT CLERK'S OFFICE - OKI  
CORPORATION COMMISSION  
OF OKLAHOMA

**ONG'S RESPONSE TO THE PUBLIC UTILITY DIVISION'S EXTREME PURCHASES  
AND EXTRAORDINARY COST DATA REQUESTS**

COME NOW Oklahoma Natural Gas, a division of One Gas, Inc. ("ONG"), and hereby submits its responses to the Public Utility Division's data requests related to the February 2021 Winter Storm Event as follows:

**Response No. GMR 1-1: see Attachment 1**

Dustin R. Fredrick, OBA #19095  
Managing Attorney  
401 North Harvey Avenue  
Oklahoma City, Oklahoma 73102  
(405) 551-6631  
(405) 552-1881 (fax)  
[dustin.fredrick@onegas.com](mailto:dustin.fredrick@onegas.com)

*and*

/s/ Dillon Curran  
Curtis M. Long, OBA No. 5504  
J. Dillon Curran, OBA No. 19442  
Anna McNeil, OBA No. 34722  
CONNER & WINTERS, LLP  
1700 One Leadership Square  
211 North Robinson  
Oklahoma City, OK 73102  
Phone: 405-272-5711  
[clong@cwlaw.com](mailto:clong@cwlaw.com)  
[dcurran@cwlaw.com](mailto:dcurran@cwlaw.com)

[amcneil@cwlaw.com](mailto:amcneil@cwlaw.com)

**ATTORNEYS FOR OKLAHOMA NATURAL  
GAS COMPANY, A DIVISION OF ONE GAS,  
INC.**



## CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of February, 2022, a full, true, and correct copy of the above and foregoing instrument was served on the following persons by **Electronic Mail**:

Mike Velez  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, Oklahoma 73152  
[Mike.velez@occ.ok.gov](mailto:Mike.velez@occ.ok.gov)

Brandy L. Wreath  
Director of the Public Utility Division  
Oklahoma Corporation Commission  
Jim Thorpe Building  
2101 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105  
[PUDEnergy@occ.ok.gov](mailto:PUDEnergy@occ.ok.gov)

Jared B. Haines  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105-4894  
[Jared.Haines@oag.ok.gov](mailto:Jared.Haines@oag.ok.gov)

Ron Comingdeer  
Ron Comingdeer & Assoc., PC  
11008 Blue Stem Back Road  
Oklahoma City, OK 73162  
[hunter@comingdeerlaw.com](mailto:hunter@comingdeerlaw.com)

J. Eric Turner  
Adam J. Singer,  
Adam J. Singer Derryberry & Naifeh LLP  
4800 N. Lincoln Blvd.  
Oklahoma City, OK 73105  
Canadian Valley  
[eturner@derryberrylaw.com](mailto:eturner@derryberrylaw.com)  
[asinger@derryberrylaw.com](mailto:asinger@derryberrylaw.com)

Jack P. Fite  
White, Coffey & Fite, PC  
9520 N. May Avenue, Suite 211  
Oklahoma City, OK 73120  
[jfite@wcfgflaw.com](mailto:jfite@wcfgflaw.com)

William L. Humes  
Kimber L. Shoop  
Oklahoma Gas & Electric Company  
P.O. Box 321, MC 1208  
Oklahoma City, OK 73101  
[humeswl@oge.com](mailto:humeswl@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)

Joann S. Worthington  
American Electric Power  
1601 NW Expressway, Suite 1400  
Oklahoma City, OK 73118  
[jstevenson@aep.com](mailto:jstevenson@aep.com)

J. Roger Henson  
J. Roger Henson, PLLC  
2801 N. Kickapoo Street  
Shawnee, OK 74804  
[roger@jrhensonlaw.com](mailto:roger@jrhensonlaw.com)

/s/ Dillon Curran

February 4, 2022

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH, )  
 DIRECTOR OF THE PUBLIC UTILITY DIVISION, )  
 OKLAHOMA CORPORATION COMMISSION, TO ) CAUSE NO. PUD 202200003  
 PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND )  
 INFORMATION RELATED TO THE EXTREME )  
 WEATHER EMERGENCY OF FEBRUARY 2021 )

**OKLAHOMA NATURAL GAS COMPANY, A DIVISION OF ONE GAS, INC'S  
 ("OKLAHOMA NATURAL") RESPONSE TO  
 PUBLIC UTILITY DIVISION'S ("PUD") DATA REQUEST GMR-ONG-1**

Response Provided By: Cory Slaughter

Date Response Provided: 2/4/2022

**PUD GMR-ONG-1-1**

Provide, and file in this cause, the following information, which is not considered confidential, or highly sensitive, from and including February 7, 2021, through February 21, 2021, related to the weather emergency time period. PUD is not requesting expense amounts to be tied to volumes purchased if that is the limiting factor for disclosure. For all responses that would include information deemed confidential or highly sensitive, please indicate in your response why the information is confidential, and when it is expected to be available for public release.

- The total amount each Respondents paid to each provider for:
  - The natural gas commodity
  - Transportation services
  - Transmission services
  - Storage related expenses
  - Purchased Power
  - Other related expenses by type and provider
- Any penalties related to each category above should be listed out separately by provider and penalty type.

**RESPONSE:**

Utility Name: Oklahoma Natural		Expense Type: Commodity		
Provider Name	Penalties Paid	Total Expense Paid*	Volumetric if Publicly Disclosable	Legal Cite Requiring Confidentiality if Not Disclosable
Blue Mountain	\$0	\$36,629,405	**	**
Castleton Commodities	\$0	\$133,380	**	**
Chevron	\$0	\$108,736,777	**	**
Conoco	\$0	\$16,500	**	**
Enable Energy Resources	\$0	\$7,516,200	**	**
ETC	\$0	\$93,695,166	**	**
Koch	\$0	\$37,375,375	**	**
Macquarie	\$0	\$118,720,193	**	**
Marabou	\$0	\$185,419	**	**
Mercuria	\$0	\$13,207,150	**	**
NextEra	***	***	**	**
OFS	\$0	\$7,200,000	**	**
Sequent	\$0	\$106,401,750	**	**
Spire	\$0	\$3,405,202	**	**
SW Energy	\$0	\$297,161,143	**	**
Tenaska	\$0	\$42,500,843	**	**
Ultimate CNG	\$0	\$140,972	**	**

\* Total Expense Paid is based on the amount requested for Securitization in Cause No. PUD 202100079 and may not reflect the total amount invoiced to each provider.

\*\* PURSUANT TO THE INSTRUCTIONS, OKLAHOMA NATURAL IS USING THE TABLE FORMAT RECOMMENDED BY PUD IN THE DIRECT TESTIMONY OF BRANDY L. WREATH FILED IN THIS CAUSE. HOWEVER, THE DATA REQUEST DOES NOT REQUEST VOLUMETRIC INFORMATION.

The buying and selling of natural gas are done in an unregulated and very competitive market. If ONG is required to disclose this information to the public, then it would be placed at a competitive disadvantage against the other buyers of natural gas because those other buyers are not required to disclose any of their gas purchasing information to the public. Those other buyers of natural gas would be able to review ONG's gas purchasing information and use it to their advantage (and to the disadvantage of ONG and its customers) in competing against ONG for the same gas supplies. If ONG is required to disclose this information to the public, then it also is placed at a competitive disadvantage against the sellers that ONG is attempting to purchase

gas from because those sellers will have ONG's gas purchasing information. These gas sellers would be able to review ONG's gas purchasing information and use it to their advantage (and to the disadvantage of ONG and its customers) in obtaining more advantageous terms or a higher price for the gas they sell to ONG and ONG's customers. But for the public disclosure, sellers of natural gas would not have ONG's gas purchasing information. In addition, if ONG is required to disclose this information to the public, then a seller may be less likely to want to sell gas to ONG, if such is going to result in that seller's otherwise confidential gas sales information being made public. If there are fewer sellers that will sell gas to ONG because ONG's gas supply information is made public, then ONG has fewer gas sellers available to it to buy gas from and such reduces ONG's ability to obtain lower prices for natural gas because it has access to fewer sellers.

\*\*\* Pending Motion for Protective Order of NextEra Energy Marketing, LLC.

February 10, 2022

CDT

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

APPLICATION OF BRANDY L. WREATH,	)	
DIRECTOR OF THE PUBLIC UTILITY DIVISION,	)	
OKLAHOMA CORPORATION COMMISSION, TO	)	CAUSE NO. PUD 202200003
PUBLICLY DISCLOSE CERTAIN DOCUMENTS AND	)	
INFORMATION RELATED TO THE EXTREME	)	ORDER NO. <u>723432</u>
WEATHER EMERGENCY OF FEBRUARY 2021	)	

**FINAL ORDER CLOSING CAUSE**

BY THE COMMISSION:

The Corporation Commission (“Commission”) of the State of Oklahoma being regularly in session and the undersigned Commissioners present and participating, there comes on for consideration an Order closing cause.

**I. PROCEDURAL HISTORY**

On January 7, 2022, PUD filed an Application to publicly disclose certain documents and information related to the extreme weather emergency of February 2021.

On January 10, 2022, PUD filed an Amended Application.

On January 11, 2022, PUD filed the testimony of Brandy L. Wreath in support of the Application.

On January 12, 2022, PUD submitted Discovery Request to the Respondents listed in the Application and Amended Application requesting the Respondents file in this Cause, the total amount each Respondent paid to each provider for the natural gas commodity, transportation services, transmission services, storage related expenses, purchased power, and other related expenses by type and provider. The request made clear that no confidential information was to be provided and that a comment of why any withheld data was confidential should be provided. Responses to the Discovery Request were due to be filed by February 1, 2022.

On January 25, 2022, NextEra Energy Marketing, LLC filed a combined Motion for Limited Intervention and Motion for Protective Order along with a Notice of Hearing setting its Motions to be heard before an Administrative Law Judge (“ALJ”) on January 27, 2022. The order denying the Motion for Protective Order and granting the Motion for Limited Intervention is being presented to the Commission concurrently with this Order.

On January 25, 2022, AARP filed a Motion to Intervene along with a Notice of Hearing setting its Motion to be heard before an ALJ on February 3, 2022. The order granting the Motion to Intervene is being presented to the Commission concurrently with this Order.



On January 31, 2022, counsel for the following companies filed their respective Entries of Appearance: Oklahoma Gas and Electric Company, Oklahoma Natural Gas Company, a division of ONE Gas, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Oklahoma Gas, Summit Utilities Oklahoma, Inc., Arkansas Oklahoma Gas Corporation, Public Service Company of Oklahoma, and Empire District Electric Company.

On February 2, 2022, counsel for Panhandle Natural Gas, Inc. and Ft. Cobb Fuel Authority LLC filed an Entry of Appearance.

As of February 7, 2022, all Respondents with the exception of Oklahoma Natural Gas Company, a division of ONE Gas, (“ONG”) has provided complete responses to PUD’s Discovery Request. Pursuant to the request of NextEra Energy Marketing LLC, ONG will provide their updated Discovery Request on the same day an Order is issued.

## II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

THE COMMISSION FINDS that it has jurisdiction over this matter by virtue of Art. IX, § 18 of the Constitution of the State of Oklahoma and 17 O.S. §§ 151 *et seq.*

THE COMMISSION FURTHER FINDS that on January 7, 2022, PUD filed the Application of Brandy L. Wreath, Director of the Public Utility Division, Oklahoma Corporation Commission, to publicly disclose certain documents and information related to the extreme weather emergency of February 2021. An Amended Application was filed on January 10, 2022.

THE COMMISSION FURTHER FINDS that on January 12, 2022, PUD served a Discovery Request on each listed Respondent.

THE COMMISSION FURTHER FINDS that each Respondent has fully responded to PUD’s Discovery Request and publicly disclosed the requested information with the exception of Oklahoma Natural Gas Company, a division of ONE Gas (“ONG”). Pursuant to the request of NextEra Energy Marketing LLC, ONG will provide its updated Response to the Discovery Request on the same day an Order is issued.

THE COMMISSION FURTHER FINDS that at the request of the PUD, the purpose of the Cause is complete and it should therefore be closed.



III. ORDER

THE COMMISSION THEREFORE ORDERS that the Findings of Fact and Conclusions of Law set forth above are the Order of the Commission.

THE COMMISSION FURTHER ORDERS that this Cause shall be closed.

CORPORATION COMMISSION OF OKLAHOMA

  
DANA L. MURPHY, CHAIRMAN

BOB ANTHONY, VICE CHAIRMAN

  
J. TODD HIATT, COMMISSIONER

CERTIFICATION

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 10th day of February, 2022.

BY ORDER OF THE COMMISSION:



  
PEGGY MITCHELL, Commission Secretary