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Of Counsel
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December 13, 2019

VIA ELECTRONIC FILING

Chairman Robin L. Morrison c/o Ectory Lawless Tennessee Public Utilities Commission 502 Deaderick Street, 4th Floor Nashville, TN 37243

Re: Docket No. 19-00057, Petition of Navitas TN NG, LLC for Approval of an Adjustment in the Rates, Charges, and Tariffs

Dear Chairman Morrison:

Attached for filing is Navitas TN NG, LLC ("Navitas") Response to Consumer Advocate's **Second** Discovery Request.

As required, an original of this filing, along with four (4) hard copies, will follow. Please contact me if you have any questions concerning this filing, or require additional information.

Sincerely,

H. LaDon Baltimore

Counsel for Navitas TN NG, LLC

Cc: Daniel P. Whitaker, Esq.

Thomas Hartline Brenda Bott

IN RE:)	
)	
PETITION OF NAVITAS TN NG, LLC)	
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057
IN THE RATES, CHARGES, AND)	
TARIFFS)	
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NAVITAS TN NG, LLC RESPONSE TO CONSUMER ADVOCATE'S SECOND DISCOVERY REQUEST

Navitas Tn NG, LLC ("Navitas") submits the following responses to the Consumer Advocate's **Second** Discovery Request:

2-1. Regarding the response to Request No. 1-53, confirm that all customers with an active meter are assessed a customer charge each month.

RESPONSE: Yes, all customers with an active meter are assessed a customer charge each month.

2-2. Discuss the process used by Navitas to record uncollectible account expense.

RESPONSE:

- i. If it is clear an account is uncollectable they are written off as they are recognized. Typically once a year in late fall (after meters would be brought current for the upcoming winter) Navitas writes off any straggler accounts where their status was unclear.
- ii. In either case the account is closed in the Continental billing software system. However, accounts are not deleted and remain available for future reference and reactivation if needed. Note that from time to time Navitas does collect a previously written off account. This is possible because of our local customer knowledge.
- iii. The balance of the closed accounts in the billing system are written off in our Quickbooks accounting system under account 904 Bad Debt.

2-3. The Navitas TN 2018 General Ledger reflects a Bad Debt Expense of \$1,410 (account 904). Are uncollectible revenues recorded to any other account in addition to Account 904?

RESPONSE: All bad debt expense is recorded to account 904.

2-4. Provide a copy of a sample bill issued to a Tennessee customer, redacting the customer name, address, and customer account number.

RESPONSE: SEE ATTACHMENT.

2-5. Does Navitas provide a postcard or paper/envelope bill format to customers? Does Navitas have the capability of including a one-time customer notification on or within their bill?

RESPONSE: Navitas provides a postcard type bill format to customers. The postcard format does not provide sufficient space for one-time customer notification. When Navitas does communicate by mail with the customer, which it does at least once per year, it does so via a separate mailer.

2-6. Please confirm that the Company has not been applying the fees titled Re-Connection/Temporary Disconnection Fee as is currently outlined in its existing tariff. If this is confirmed, provide an estimate on the number of disconnects which could have qualified for the fee in 2018 and explain how that estimate was derived.

RESPONSE: After speaking with staff, Navitas is, in fact, charging the temporary disconnect fee. In 2018 there were six such instances. **SEE ATTACHMENT.**

2-7. Identify the number of customers entering into a Budget Repayment Plan as referenced

on Sheet 4 of the Company's tariff in calendar year 2018.

RESPONSE: There are 34 customers on the company equal pay plan. It is not clear how many

of these customers availed themselves of the equal pay plan without cause and how many

pursued it out of need to catch up. SEE ATTACHMENT.

2-8. Provide a copy of the Budget Repayment Plan.

RESPONSE: SEE ATTACHMENT.

2-9. Please confirm the Company is disconnecting customers in Tennessee during cold-

weather months consistent with rules and requirements adopted by the Oklahoma Corporation

Commission. If this is confirmed, provide a copy of such rules.

RESPONSE: SEE ATTACHMENT.

2-10. For 2018 (if information is readily available), provide the monthly CCF split of volumes

between those falling into the "First nine CCF per month" category and those falling in the

"Greater than nine CCF per month" category for each rate classification.

RESPONSE: SEE ATACHMENT.

2-11. Provide the monthly number of a) disconnects and b) reconnects occurring in 2018 and

2019 to date.

RESPONSE: SEE ATTACHMENT.

2-12. For each year ending 12/31/17, 12/31/18, and 10/31/19 (year to date), provide the number

and balance of customer accounts receivable by customer class that were 90 days past due.

RESPONSE: SEE ATTAHMENT.

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2-13. Refer to Item 68 debt & interest 2018.xlsx provided with the company's filing. Confirm that the interest rates shown in this file have not been updated/changed in calendar year 2019. If not confirmed, provide a new version of this file with updated interest rates.

RESPONSE: Interest rates have been updated. **SEE ATTACHMENT.**

- 2-14. Refer to the Company's Response to Request No. 1-30. Provide responses to the following items:
 - a. Are these services billed to Navitas Utility Company at cost or at cost-plus?
 - b. Provide invoice support for the monthly charge (typically \$1,380 monthly). If invoice support is not available, provide the cost support underlying the monthly charge. This response should include an itemization of the cost elements for this monthly charge and all assumptions and documents supporting each cost.

RESPONSE:

- a. The amounts billed to Navitas are generally at cost with the exception of lodging & subsistence in which case it is billed at the reimbursement rate allowed by the IRS, which is also the reimbursement method of the Oklahoma Corporation Commission for its employees.
- b. As noted in a., lodging & subsistence invoices are not provided to Navitas by Mr. Hartline (invoices for reimbursable equipment purchases, etc. for the amounts beyond the monthly \$1380 are provided and electronically filed in the accounting system). If the IRS methodology is not acceptable then Mr. Hartline and the Consumer Advocate will need to execute a confidentiality agreement such that he can share the Schedule C from his tax returns with the reviewer.
- 2-15. Refer to Navitas Utility Company's General Ledger. Specifically, refer to subaccount 6242 within FERC account 921. Provide answers to the following questions concerning those accounts:
 - a. Describe in detail why certain fuel charges are direct assigned to jurisdictions (921.15, 921.16,921.46, etc) while others are allocated.

- b. Describe in detail why allocated fuel charges for employees whose payroll costs are direct assigned to other jurisdictions are being allocated among jurisdictions, including Tennessee.
- c. Produce a copy of an invoice from one of the monthly charges from "Equity Exchange" for "gas/diesel", and provide the Company's rational for why this charge is allocable to Tennessee customers.

RESPONSE:

- a. Fuel charges that are readily identifiable as belonging to a certain jurisdiction are directly charged. Fuel charges incurred at locations where employees are allocated amongst jurisdictions are likewise allocated.
- b. A particular location (Eakly, OK) has a mix of allocated (Kevin, Darrel, Jerod, Trenda, Valarie, Karri), directed charge (Woody, Steven), and direct charged to Oklahoma but sometime shared without charge to other jurisdictions employees (Trenton, Todd, Cameron). This location also has access to co-op fuel. Management has determined that the would-be allocated cost of finite accounting for the fuel as well as the shared without charge employees far exceeds any potential savings by any particular jurisdiction.
- c. Please see b., the majority of the employees that fuel up at this co-op gas supply are either allocated or could be allocated part of the year.

This 12th day of December, 2019.

RESPECTFULLY SUBMITTED.

H. LaDen Baltimore (BPK #003836)

FARRIS BOBANGO, PLC

Philips Plaza

414 Union Street, Suite 1105 Nashville, Tennessee 37219

Telephone: 615.726.1200 Facsimile: 615.726.1776

Emails: dbaltimore@farris-law.com

Counsel for Navitas TN NG, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Daniel P. Whitaker, Esq.
Office of the Tennessee Attorney General
Financial Division, Consumer Advocate Unit
P.O. Box 20207-0207
Nashville, TN 3720207

Email: <u>Dniel.Whitaker@ag.tn.gov</u>

Phone: 615-532-9299

This the 12th day of December, 2019.

IN RE:		
PETITION OF NAVITAS TN NG, LLC)	
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057
IN THE RATES, CHARGES, AND)	
TARIFFS)	
RESPONSE OF NAVITAS TO CONSUME	ER ADV	OCATE'S SECOND DISCOVERY
REQUEST TO NAV	'ITAS	ΓN NG, LLC

ATTACHMENT

Navitas TN NG, LLC PO Box 183 Eakly, OK 73033 (866) 797-3342

TYPE OF	METER	METER READING		
SERVICE	PRESENT	PREVIOUS	USED	CHARGES
Tariff	2407	2391	16	20.55
Meter Factor	1.0000	00 Adjust Usa _l	ge	

Purchase Gas Adj	8.42
Customer + Energy Efficiency Charge	9.00
Tax	1.59
Previous Balance	0.00

Service from 09/24/2019 to 10/25/2019

METER R	EAD	TOTAL DUE	LATE CHARGES	IF LATE
MONTH	DAY	UPON RECEIPT	AFTER DUE DATE	PAY:
10	25	39.56	1.98	41.54

Purchase Gas Adj. = 0.5265 Visa/MC Accepted | SAVE A STAMP! SIGN UP FOR ACH TODAY! Smell Gas??? Phone 866-579-3303

ACCOUNT 11/07/2019

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
EAKLY
PERMIT NO.

CUSTOMER		
Route	Account	Due Date
29		12/01/2019
TOTAL AMOUNT	1	<u>IF LATE</u>
TO BE PAID		PAY:
39.56		41.54
MAIL THIS ST	UB WITH YO	UR PAYMENT



Learn Why Excess Flow Valves Are Important www.navitasutility.com/efv

Don Baltimore

From: Beverly Brown <beverlycarnahan@yahoo.com>

Sent: Monday, November 25, 2019 1:15 PM

To: Don Baltimore Subject: Re: Buddy

Follow Up Flag: Flag for follow up

Flag Status: Flagged

He is a little better everyday. Working hard at PT. He is taking steps with his walker now. Hands are still an issue. Has no strength to pick anything up yet. Taking OT to help with fine motor skills. He is still in Southern Hills room 404. His discharge date is December 6th. Then he will have in home PT. Doctors have said it may take 6 months to a year for a complete recovery. His home address is 3717 Nate Ct Antioch 37013.

Thanks for checking on him. I will tell him you asked about him.

Sent from my iPhone

> On Nov 25, 2019, at 11:09 AM, Don Baltimore < dbaltimore@farris-law.com > wrote:

> > Beverly,

> How is Buddy doing? What is his address?

> Don

>

- > Sent from my iPhone
- > Filtered by ADANClean from http://www.adantech.com.

INRE:			
)		
PETITION OF NAVITAS TN NG, LLC)		
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057	
IN THE RATES, CHARGES, AND)		
TARIFFS)		
RESPONSE OF NAVITAS TO CONSUME			

ATTACHMENT

Q. 2-6

Confidential

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)	Docket No. 19-00057	
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ATTACHMENT

Customer List

Sorted by: Account

Customers

For Codes: EQUAL PAY = EQUAL PAY

Account No. Customer Name Billing Address City/State Bill Home Work Work

Cell Phone E-mail Pref. Phone Ext.

Total Customers 34

12/11/2019 10:41:18 AM

Customer List

Page Number:

INRE:		
PETITION OF NAVITAS TN NG, LLC FOR APPROVAL OF AN ADJUSTMENT IN THE RATES, CHARGES, AND)))	Docket No. 19-00057
TARIFFS)	
RESPONSE OF NAVITAS TO CONSUME REQUEST TO NAV		

ATTACHMENT

Navitas Utility Corporation Navitas TN NG, LLC P.O. Box 183 Eakly, Oklahoma 73033 Phone (866) 797-3342 Fax (405) 484-4228

BUDGET PAYMENT PLAN

Customer Name:	
Service Address:	
Billing Address:	
(If different from service address)	
scivice address)	
Account Number:	
NG, LLC Budget Pa conditions. I understa	his Agreement, I request the Company to enroll the above account number, for which I am e, in the Navitas TN NG, LLC Budget Payment Plan (the "Plan"). I acknowledge that Navitas TN yment Plan has been explained to me and I understand and agree to abide by its terms and the following is a summary of the Plan.
recalcul	yments will be based on an average of my total gas usage over a 12-month period, or an estimate 12-month usage, if I have not been a customer for 12 months. The average usage will be ated each month based on a "rolling" 12-month period and, therefore, the budget amount due may a from month to month. I agree to pay the budget amount billed, even when it exceeds my actual
Navitas T	tion in the Plan requires my account to be current (no unpaid previous balance and the current bill taue). My account is now current, or I have entered into a written Payment Plan Agreement with NG, LLC to bring my account current by agreeing to pay the monthly budget amount plus and I amount over an agreed upon period of time.
and added	ayments under the Plan are payable on or before the due date on the monthly bill card. Since yments will not pay off the account balance during part of the year, late charges will be calculated into my account balance. However, late charges will be waived for as long as I participate in good standing.
	N NG, LLC may terminate my participation in the Plan if my account becomes past due. If it, I understand that the entire balance of my account will be due immediately, and that the late benalties due under Navitas TN NG, LLC's tariff (of 5% per month of the outstanding balance).
	ninate my participation in the Plan at any time upon seven (7) days written notice to Navitas TN 1 understand that at that time I will be required to pay in full the balance on the account that prior gas usage. I understand that if any portion of the balance is past due, late payment penalties
Date:	Customers Signature:
Arronned	ou Come
Accepted	by Company:

RESPONSE OF NAVITAS TO CONSUME	'R ADV	OCATE'S SECOND DISCOVEDY
TARIFFS)	
IN THE RATES, CHARGES, AND)	
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057
PETITION OF NAVITAS TN NG, LLC)	
)	
IN RE:		

REQUEST TO NAVITAS TN NG, LLC

ATTACHMENT

Rights

по
yes
32° F or below (daytime), 20° F or below (night), or heat index 101° F or higher
No disconnect if temperatures are 32° F or below during the day, 20° F or below at night or if the predicted heat index is 101° F or greater. 30 day delay and 30 day extension possible in case of life threatening condition. Commission may order a ban on all disconnections if severe weather or if dangerous to health of the customer.
Disconnection may be delayed for 30 days with medical doctor or osteopath certification of a life-threatening condition or for life support equipment, certificate may be renewed once: Customer is required to negotiate a payment plan. Disconnection may be delayed for 20 days if the customer has applied for financial assistance including SSI.
No disconnection if a customer enters into a deferred payment plan.
405-521-2331 (OKC Metro), 800-522-8154
www.occeweb.com/Complaints/pucomplaints2.html
no
no
30 day disconnect delay if physician, public health official or social service official certifies that a household member's health would be adversely affected.
Utilities are required to offer a payment plan.
Consumer line: 800-342-8359 TTY: 888-276-0677

Consumer https://www.tn.gov/tra/topic/csd-utility-complaint-resources FAQ/Bill of

Complaint form https://www.tn.gov/tpuc/utility-complaint-resources/csd-online-utility-complaint-form.html

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PETITION OF NAVITAS TN NG, LLC)	
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057
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RESPONSE OF NAVITAS TO CONSUME		

ATTACHMENT

2018 <u>Month</u>	Equal to or less than first 9 CCF per month	Greater than 9 CCF per month
January	44	520
February	31	531
March	34	530
April	50	510
May	484	484
June	382	173
July	485	69
August	486	65
September	477	67
October	484	59
November	279	269
December	56	498

INRE:)
)
PETITION OF NAVITAS TN NG, LLC)
FOR APPROVAL OF AN ADJUSTMENT) Docket No. 19-00057
IN THE RATES, CHARGES, AND)
TARIFFS)
	MER ADVOCATE'S SECOND DISCOVERY
	MER ADVOCATE'S SECON AVITAS TN NG LLC

ATTACHMENT

Tennessee Locked Off Customers/Reconnect

2018		
	Locked Off	Reconnect
January	2	
February	0	
March	0	
April	6	
May	2	
June	2	
July	1	1
August	2	•
September	0	
October	1	
November	0	1
December	1	-
TOTAL	17	2
2019		
	Locked Off	Reconnect
January	0	
February	0	
March	0	
April	5	
May	1	
June	1	
July	0	
August	0	2
September	_	
(**************************************	3	
October	3 0	1
October November		1
October	0	1
October November	0	1 3

IN RE:)	
PETITION OF NAVITAS TN NG, LLC FOR APPROVAL OF AN ADJUSTMENT IN THE RATES, CHARGES, AND)))	Docket No. 19-00057
TARIFFS)	
RESPONSE OF NAVITAS TO CONSUME REQUEST TO NAV		

ATTACHMENT

Aged Receivables

As of 10/31/2019

Service	0-90 days	91-180 days	181-270 days	271-360 days	> 360 days	Balance
Grand Total						
GAS	4135.15	107.05	5765.32	890.42	302724.85	313622.79
GAS Penalty	125.98	97.26	284.91	398.86	289.26	1196.23
GAS Misc	75.00	50.00	171.28	0.00	0.00	296.28
PGA	2636.05	47.00	3871.48	1002.10	9061.48	16618.11
PGA Penalty	72.74	51.59	192.75	417.81	265.58	1000.47
CUST CHARGE	1095.46	278.52	246.61	153.00	228.00	2001.59
CUST CHARGE Penalty	90.92	43.66	26.91	74.80	40.94	277.23
STATE TAX	447.90	1.37	0.00	104.45	31538.84	32092.56
STATE TAX Penalty	0.00	0.00	0.00	51.27	30.24	81.51
CITY TAX	0.00	0.44	0.00	0.00	0.00	0.44
GRS RCPTS TX	204.57	7.30	33.77	58.93	13524.25	13828.82
GRS RCPTS TX Penalty	6.40	5.45	2.81	24.75	17.39	56.80
FRANCHISE TX	165.92	6.08	28.14	41.62	399.83	641.59
FRANCHISE TX Penalty	5.32	4.52	2.34	16.96	12.32	41.46
	9061.41	700.24	10626.32	3234.97	358132.98	381755.92
mber of Accounts in Each Column:	89	17	16	7	8	

Total Number of Outstanding Accounts:

105

Aged Receivables

As of 12/31/2018

Service	0-90 days	91-180 days	181-270 days	271-360 days	> 360 days	Balance
Grand Total						
GAS	21067.32	1584.99	968.85	91932.16	209967.45	325520.77
GAS Penalty	453.56	181.59	365.78	142.00	6.37	1149.30
GAS Misc	988.13	25.00	0.00	0.00	131.47	1144.60
PGA	16025.71	1632.71	406.03	432.74	6990.48	25487.63
PGA Penalty	460.12	94.19	145.55	56.18	0.83	756.83
CUST CHARGE	2397.18	299.15	270.00	200.65	134.41	3301.39
CUST CHARGE Penalty	100.22	53.06	69.26	33.16	12.13	267.83
STATE TAX	647.54	223.09	0.00	9077.11	22200.13	32147.83
STATE TAX Penalty	57.52	4.76	0.00	0.00	0.00	62.2
GRS RCPTS TX	685.37	96.53	41.67	3949.90	9516.27	14289.7
GRS RCPTS TX Penalty	27.51	8.49	15.78	6.19	0.12	58.09
FRANCHISE TX	492.91	64.51	34.74	49.75	320.65	962.50
FRANCHISE TX Penalty	18.80	6.74	13.12	5.16	0.09	43.91
	43421.89	4274.81	2330.78	105885:00	249280.40	405192.88
nber of Accounts in Each Column:	234	- J4	- 11		6	

244

Total Number of Outstanding Accounts:

Aged Receivables

As of 12/31/2017

Service	0-90 days	91-180 days	181-270 days	271-360 days	> 360 days	Balance
Grand Total						
GAS	190670.62	46947.89	0.00	499.83	50.30	238168.6
GAS Penalty	896.67	25.18	29.67	70.76	106.35	1128.6
GAS Misc	0.00	75.00	0.00	0.00	0.00	75.0
PGA	11819.86	15.33	0.00	122.74	7004.50	18962.4
PGA Penalty	415.62	5.43	8.01	19.47	39.33	487.8
CUST CHARGE	1588.02	118.00	27.00	63.00	81.00	1877.0
CUST CHARGE Penalty	41.97	11.03	3.88	10.10	28.41	95.3
STATE TAX	16577.02	4795.20	0.00	0.00	1116.65	22488.8
STATE TAX Penalty	2.04	0.00	0.00	0.00	0.00	2.0
GRS RCPTS TX	8182.21	2057.23	0.00	25,10	482.25	10746.7
GRS RCPTS TX Penalty	41.10	0.82	1.24	2.80	4.37	50.3
FRANCHISE TX	968.55	1.78	0.00	15.17	322.12	1307.6
FRANCHISE TX Penalty	34.14	0.67	1.03	2.11	3.66	41.6
	231237.82	54053.56	70.83	831.08	9238.94	295432.2
mber of Accounts in Each Column:	134	8	2	3	2	

Number of Accounts in Each Column:

Total Number of Outstanding Accounts:

141

TARIFFS)	
IN THE RATES, CHARGES, AND	Ń	
FOR APPROVAL OF AN ADJUSTMENT)	Docket No. 19-00057
PETITION OF NAVITAS TN NG, LLC)	
)	
IN RE:)	

RESPONSE OF NAVITAS TO CONSUMER ADVOCATE'S SECOND DISCOVERY REQUEST TO NAVITAS TN NG, LLC

ATTACHMENT

		76,122	6.32%	838	9,727,101	Į	ALL	ALL	Grand Total
		ı			1,700,000				Sub-Total
May-19	ᆳ	1	6.00%	ぉ	500,000	Yearly	F&M	N.COMM	FOC -
Dec-17	충	ŧ	6.00%	12	100,000	Yearly	Bank 7	IXNG	LOC - 1032//3
Dec-17	5	•	6.00%	73	100,000	Yearly	Bank 7	INNG	LOC - 1032/85
Dec-17	<u></u>	ı	6.00%	12	250,000	Yearly	Bank 7	KYNG	LOC - 1032/61
Oct-13	<u></u>	ſ	6.00%	12	250,000	Yearly	Bank 7	Winstar	LOC - 1010621
Oct-13	충	ı	6.00%	12	500,000	Yearly	Bank 7	FCFA	LOC - 1010669
		76,122.21			8,027,101			 	Sub-lotal
Jun-19	4	757.02	5.99%	60	39,070	June-19	ALLY - 74746	NUC	Vehicle
May-19	25	1,915.19	5.00%	59	101,292	May-19	F&M - 11134100	NUC	Trucks
Feb-19	28	615.96	6.84%	72	36,190	February-19	ALLY - 44442	NUC	Vehicle
Feb-18	26	669.98	5.65%	60	28,766	February-18	GMF - 66930	NCC	Vehicle
Mar-17	7	630.87	4.75%	60	22,717	March-17	F&M	NUC	Equipment
Jul-18	24	1,050.05	5.94%	60	51,129	July-18	FMC - 59706	N C	Trucks
Jan-16	4	593.55	3.55%	<u>6</u> 4	16,447	December-15	ALLY - 17348	NUC	Vehicle
Sep.19		360.03	2.09%	84	28,209	September-19	Kubota	NUC	Equipment- Kubota Tra NUC
Aug.19		2,848.34	5.50%	59	148,080	August-19	F&M	N C	Equipment- 11240300
Dec-17	21	383.01	5.00%	60	14,382	June-17	F&M	N.COMM	Equipment
Sep-16	30	7,008.21	3.95%	168 ₩/	782,283	August-16	F&M Bank	NALLC	Property
Mar-19		4,350.00	6.75%	240	550,000	May-19	Bank 7	TXNG	System - Rosenberg
Jun-15	ᇬ	12,200.00	6.75%	240	1,416,465	June-15	Bank 7	KYNG	Keystone - 1013681
Dec-17	ᆳ	2,570.00	6.75%	180	286,950	November-17	Bank 7	KYNG	System -1010645
Oct-13	15	4,270.00	6.75%	240	471,349	October-13	Bank 7	TNNG	System - 1010633
Oct-13	5	35,900.00	6.75%	240	4,033,772	October-13	Bank 7	FCFA	System
Date Posted	Date	Payment	Rate	Term	Amount	Inception	Institution	Entity	Туре