

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

In the Matter of the Application of Spire)
Missouri Inc. d/b/a Spire, for Permission)
and Approval and a Certificate of)
Convenience and Necessity to Construct,)
Install, Own, Operate, Maintain, and) **File No. GA-2023-0441**
Otherwise Control and Manage a Natural)
Gas Distribution System to Provide Gas)
Service in Platte County, Missouri as an)
Expansion of its Existing Certificated)
Areas)

**ORDER DIRECTING NOTICE, SETTING DEADLINE FOR
INTERVENTION REQUESTS, AND DIRECTING FILING OF
STAFF RECOMMENDATION**

Issue Date: June 30, 2023

Effective Date: June 30, 2023

On June 28, 2023, Spire Missouri Inc. d/b/a Spire filed an application for a certificate of convenience and necessity (CCN) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide natural gas service in Platte County, Missouri, as a further expansion of Spire’s existing certificated area. Spire also requested waiver of the sixty days’ notice provision of Commission Rule 20 CSR 4240-4.017(1).

The Commission will direct notice of the application be given to the Platte County Commission and local newspapers. The Commission will set a deadline for interested parties to intervene. The Commission will also direct its Staff to file a recommendation with regard to said application.

THE COMMISSION ORDERS THAT:

1. The Commission’s Data Center shall provide a copy of this order and the Application to the County Commission of Platte County, Missouri.

2. The Commission's Public Policy and Outreach Department shall make this order available to the media serving that county.

3. Any person wishing to intervene in this matter shall file an application to intervene, no later than July 14, 2023. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission. Comments on Spire's application may also be made in EFIS.

4. No later than August 14, 2023, Staff shall file a recommendation regarding Spire's application, or a request for an extension of time.

5. This order shall be effective when issued.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Nancy Dippell".

Nancy Dippell
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
By delegation of authority pursuant
to Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on the 30th day of June, 2023.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 30th day of June, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 30, 2023

File/Case No. GA-2023-0441

**Missouri Public Service
Commission**
Staff Counsel Department
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staffcounsel@psc.mo.gov

Office of the Public Counsel
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County of Platte, Missouri
County Commission Clerk
415 Third St., Ste. 30
Platte County Administration Bldg.
Platte City, MO 64079
CountyClerk@CO.Platte.MO.US

**Missouri Public Service
Commission**
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Spire
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Spire
J. Antonio Arias
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antonio.arias@spireenergy.com

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

Sincerely,



**Nancy Dippell
Secretary**

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

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

In the Matter of the Application of Spire Missouri, Inc., for)
Permission and Approval and a Certificate of Convenience and)
Necessity to Construct, Install, Own, Operate, Maintain, and) Case No. _____
Otherwise Control and Manage a Natural Gas Distribution)
System to Provide Gas Service in Platte)
County as an Expansion of its Existing Certificated Areas.)

**APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR PLATTE COUNTY AND
REQUEST FOR WAIVER**

COMES NOW Spire Missouri, Inc. (“Spire” or the “Company”), by and through its undersigned counsel, and, pursuant to RSMo. §393.170, RSMo, 4 CSR 240-2.060 and Commission Rule 4 CSR 240-3.205, respectfully submits this Application to the Missouri Public Service Commission (“Commission”) for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in Platte County, Missouri, as a further expansion of its existing certificated area. Pursuant to Commission Rule 20 CSR 4240-4.017(1)(D), the Company also requests a waiver from the notice provisions of Rule 20 CSR 4240-4.017(1). In support of its Application and request for a waiver, Spire respectfully states as follows to the Commission:

1. Spire West is a public utility and gas corporation incorporated under the laws of the State of Missouri, with its principal office located at 700 Market Street, St. Louis, Missouri 63101.
2. A Certificate of Good Standing evidencing Spire’s standing to do business in Missouri was submitted in Case No. GF-2020-0334 and is incorporated by reference herein for all purposes. The information in such Certificate is current and correct.
3. Spire West is engaged in the business of distributing and transporting natural gas

to customers in Missouri as a gas corporation subject to the jurisdiction of the Commission. Spire West provides gas service in western Missouri to customers in the western Missouri counties of Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Newton, Pettis, Platte, Ray, Saline, Stone, and Vernon.

4. Other than cases that have been docketed at the Commission, Spire has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates. Spire has no annual report or assessment fees that are overdue.

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

Trisha Lavin
Senior Analyst, Regulatory
Spire Missouri Inc.
700 Market Street, 5th Floor
St. Louis, Missouri 63101
(314) 934-9838
Trisha.lavin@spireenergy.com

APPLICATION FOR A CCN AND WAIVER OF CCN RULES REQUIREMENTS

6. In Docket No. GA-2023-0110, the Empire District Gas Company (“EDG”) filed an application for a CCN for six sections in Platte County. The Commission approved EDG’s application, and Spire subsequently filed an Application for Rehearing, as Spire has assets and customers in sections of the CCN area requested by EDG. EDG, Staff of the Commission (“Staff”), and Spire filed a Stipulation and Agreement to apportion the CCN area based on where Spire’s

customers and assets are located, which was approved by the Commission. As required by the Stipulation and Agreement, Spire now files this Application, seeking a CCN for the area apportioned to Spire.

7. The contiguous area apportioned to Spire for which the Company now seeks a CCN is described as follows: Section 1, Township 52 North, Range 34 West in its entirety, part of the East Half and Part of the Northeast Quarter being in Section 2, Township 52 North, Range 34 West except for the following: beginning at the Northwest Corner of Section 2, Township 52 North , Range 34 West then south 50', then east 2,000', then north 50', then west 2,000' to POB, and Part of the Southwest Quarter of the Southeast Quarter of Section 35, Township 53 North, Range 34 West which is approximately 335' on the West side of NW Interurban Road north of the south line of the SE ¼ Section of Section 35, Township 35 North, Range 34 West. The legal description for the area, also filed in Docket No. GA-2023-0110, is attached in **Appendix 1**.

8. Spire's assets in this area were installed by Spire's predecessor, Missouri Gas Energy ("MGE"), which Spire acquired through its acquisition of MGE in 2013. MGE installed these assets in 1997 and 2004 and started providing service off these assets in 2000 and 2011 respectively.

9. Attached as **Appendix 2**, and also filed in Docket No. GA-2023-0110, is a plat drawn to a scale of one-half inch (1/2") to the mile on maps comparable to county highway maps issued by the Missouri Department of Transportation or a plat drawn to a scale of two thousand feet (2,000') to the inch. Which is marked Confidential pursuant to 20 CSR 4240-2.135(2)(A)7.

10. The Company proposes that it continue to apply the currently effective rates to its customers in this area as established in Spire's most recent rate case proceeding, GR-2022-0179,

or until rates are changed by an approved tariff or a Commission order.

11. The names and addresses of Spire's current active customers and assets within the requested areas are attached as **Appendix 3**, which has been marked Confidential pursuant to 20 CSR 4240-2.135(2)(A)(1) because it contains information directly related to specific customers.

12. Attached as **Appendix 4** is a signed affidavit of Patti Reardon, Manager, Small Commercial and Industrial, Spire Missouri, asserting that all information regarding this CCN is accurate and truthful.

13. This CCN application is in the public interest because Spire Missouri already has active customers and assets in service, and is providing safe, reliable and affordable service to these customers. Further, Spire's experience in the operation of natural gas systems gives it the ability to continue to provide safe, reliable and adequate service in an efficient manner. For all reasons set forth herein, a grant of approval from the Commission will further the public convenience and necessity.

14. Spire also requests a waiver from 20 CSR 4240-3.205(1)(A)(5), which requires:

A feasibility study containing plans and specifications for the utility system and estimated cost of the construction of the utility system during the first three (3) years of construction; plans for financing; proposed rates and charges and an estimate of the number of customers, revenues and expenses during the first three (3) years of operations.

Spire submits that there is good cause for granting this waiver, as Spire does not have and cannot obtain the information required under this rule provision. The most recent assets in the area were installed nearly ten years prior to Spire taking ownership, and the oldest assets were installed over fifteen years prior. Any plans, specifications, or estimates are no longer available to the Company.

REQUEST FOR WAIVER FROM 60-DAY NOTICE RULE

15. Commission Rule 4 CSR 240-4.017(1) provides, in part, as follows:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

16. Commission Rule 4 CSR 240-4.017(1)(D) permits a party to request a waiver of the above cited rule for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communication with the office of the Commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case. The Company interprets this to mean that good cause is established if the filing party has had no communication with a member of the office of the Commission outside of pleadings or other public communications. Subject to that understanding, the Company has attached, as **Appendix 5**, the verified declaration of Trisha Lavin that neither the Company nor any person or entity acting on behalf of the Company, has had any communication with a member of the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in this case. For that reason, the Company requests that the Commission grant a waiver of the 60-day notice requirement for Spire Missouri's application for a CCN in Platte County.

WHEREFORE, Spire requests, for good cause shown, that the Commission waive the notice requirement of 4 CSR 240-4.017(1) and grant a waiver from the filing requirement of Commission rule 4 CSR 240-3.205(1)(A)(5), approve this Application, issue a CCN to Spire as set forth above and in the attached schedules, and grant such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

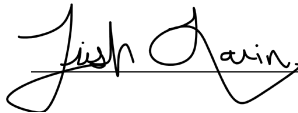
/s/ J. Antonio Arias

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Email: antonio.arias@spireenergy.com

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 28 day of June, 2023, to:



Legal Description

All of Section 1 Township 52 North Range 34 West.

All of Section 2, Township 52 North, Range 34 West except the following: Beginning at the Northwest Corner of Section 2 Township 52 North Range 34 West then south approximately 50', then east approximately 2,000' then north approximately 50', then west approximately 2,000' to point of beginning.

Part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 53 North, Range 34 West: beginning at the southeast corner of the southeast quarter then west approximately 795', then north approximately 980', then then east approximately 795', then south approximately 980' to point of beginning.

Appendix 2

**Confidential in its entirety pursuant to 20 CSR
4240-2.135(2)(A)7**

Names and Addresses

Confidential in its Entirety Pursuant 20 CSR
4240-2.135(2)(A)1

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In the Matter of the Application of Spire Missouri)
Inc. for a Certificate)
of Convenience and Necessity to Construct, Install,)
Own, Operate, Maintain, and Otherwise Control) Case No:
and Manage a Natural Gas Distribution System to)
Provide Gas Service in Platte County)
by Natural Gas Expansion of its Existing)
Certificated Areas.)

AFFIDAVIT

STATE OF MISSOURI)
) SS.
COUNTY OF JACKSON)

Patti Reardon, of lawful age, being first duly sworn, deposes and states:

1. My name is Patricia “Patti” Reardon. I am Manager, Small Commercial and Industrial Business Development for Spire Missouri Inc. My business address is 7500 E. 35th Terrace, Kansas City, Missouri, 64129.

2. The purpose of this affidavit is to comply with Commission Rule 20 CSR 4240-2.060(1)(M).

3. Under penalty of perjury, I hereby declare that the information contained herein, and in the attached documents is true and correct to the best of my knowledge and belief.

/s/ Patricia Reardon

Patricia “Patti” Reardon

June 21, 2023

Dated

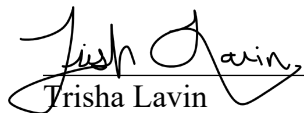
**BEFORE THE PUBLIC SERVICE COMMISSION
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In the Matter of the Application of Spire)
Missouri Inc. for a Certificate of Convenience)
and Necessity to Construct, Install, Own, Operate)
Maintain, and Otherwise Control and Manage a) Case No. GA-2023-xxxx
Natural Gas Distribution System in Platte County,)
Missouri As an Expansion of its Existing)
Certified Areas.)

VERIFICATION

State of Missouri)
) SS
County of St. Louis)

I, Trisha Lavin, state that I am a Senior Regulatory Analyst for Spire Missouri Inc. I am authorized to make this verification on behalf of Spire Missouri Inc. and that under the penalty of perjury, I declare that the matters and things stated in the foregoing Application are true and correct to the best of my knowledge and belief. I also hereby swear and affirm that I have read the foregoing Request for Waiver, and hereby declare that, other than pleadings or other public communications, Spire Missouri Inc. has had no communication with the office of the Commission, within the prior one hundred and fifty (150) days regarding any substantive issue likely to be in the above referenced case.



Trisha Lavin

June 28, 2023

Dated