

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Spire STL Pipeline LLC

Docket No. CP17-40-007

**MOTION TO INTERVENE AND COMMENTS OF
SOUTHERN STAR CENTRAL GAS PIPELINE, INC.**

Pursuant to Rules 214 of the Rules of Practice and Procedure, 18 C.F.R. § 385.214, of the Federal Energy Regulatory Commission (“Commission”), Southern Star Central Gas Pipeline, Inc. (“Southern Star”) moves to intervene in the above captioned proceeding¹. Furthermore, Southern Star submits comments in support of the Application of Spire STL Pipeline LLC (“Spire STL”) for a Temporary Emergency Certificate, or, in the Alternative, Limited-Term Certificate filed July 26, 2021 (“Application”). The Application was filed in response to the decision in *Environmental Defense Fund v FERC*². Southern Star supports the issuance of a temporary certificate. Without the issuance of the temporary certificate, there is a risk that the local natural gas utility and its customers in the St. Louis metropolitan area will not receive adequate service, especially in an emergency, because of a potential lack of alternative gas supply to the area.

I. COMMUNICATIONS

All pleadings, correspondence and other communications filed in this proceeding should be addressed to:

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¹ Southern Star previously intervened in the main Docket, CP17-40-000, via document-less motion dated February 10, 2017, but moves again in Sub-Docket CP17-40-007 out of an abundance of caution.

² See *Environmental Defense Fund v FERC*, _____ F. 4th _____, No. 20-1016, 2021 U.S. App. LEXIS 18503 (D.C. Cir. June 22, 2021).

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II. BACKGROUND

On January 26, 2017, Spire STL submitted an application to the Commission for a certificate of public convenience to construct a new natural gas pipeline in the St. Louis area. On August 3, 2018, the Commission issued a certificate of public convenience for the Spire STL Pipeline Project (“STL Pipeline”). The STL Pipeline went in service in November 2019. On June 22, 2021, the U.S. Court of Appeals for the District of Columbia Circuit vacated Spire STL’s certificate of public convenience issued by the Commission to construct the pipeline. On July 26, 2021, Spire STL submitted its Application to allow Spire STL to continue providing service on the existing STL Pipeline for a limited period until the Commission issues an order on remand from *Environmental Defense Fund v. FERC*.

III. MOTION TO INTERVENE

Southern Star is an interstate natural gas pipeline engaged in the business of storing and transporting natural gas in interstate commerce under authorizations granted by the Commission. Organized and existing under the laws of the State of Delaware and duly authorized to do business in Colorado, Kansas, Kentucky, Missouri, Nebraska, Oklahoma, Texas, and Wyoming, Southern Star serves a portion of the St. Louis market through a transportation service agreement with Spire Missouri Inc. dba Spire Missouri East (“Spire Missouri East”) that competes with the STL Pipeline. Therefore, Southern Star has a substantial interest that may be directly affected by the outcome of this proceeding and that cannot be adequately represented or protected by any other participant. See 18 C.F.R. § 385.214 (2016); 15 U.S.C. § 717n(a). Southern Star respectfully requests permission to intervene in this proceeding with all rights of a party to such proceeding.

IV. COMMENTS

Southern Star submits these comments in support of Spire STL's application for a temporary certificate pending Commission action on remand. Granting Spire STL a temporary certificate will allow the Commission to minimize disruption to consumers currently relying on the STL Pipeline for gas supply. That pipeline played a critical role last winter during Winter Storm Uri to bring alternative sources of supply into the metropolitan St. Louis area when traditional sources of supply in the region were being adversely impacted by that cold weather event. A secure and continuous supply of natural gas is vitally important because people and businesses rely on natural gas for critical energy and heating needs. Allowing the STL Pipeline to remain open and operational under a temporary certificate, while the Commission determines the appropriate action on remand of the court's decision, is a necessary step to protect homes, schools, hospitals, and businesses in the St. Louis area this winter.

While Southern Star also provides natural gas transportation service to the region, its ability to serve the St. Louis metropolitan area from its existing facilities is limited and it lacks the capacity to serve as a viable alternative to the STL Pipeline. Southern Star serves the west side of the St. Louis area via a transportation service agreement with Spire Missouri East for 30,300 Dth/d of no-notice transportation service under its Rate Schedule TSS. That service is provided via an approximately 200 mile long 8-inch pipeline (sometimes known as the "Little Mo" line) that extends from Jackson County, Missouri across the state of Missouri to St. Charles County, Missouri, near St. Louis, and which includes three compressor stations. This line not only serves the St. Louis area, but serves other customers along the way. That line has a maximum allowable operating pressure of 1133 psia and all of the operational capacity of that line to serve the metropolitan St. Louis area is fully subscribed. Given the length and nature of the facilities on the Little Mo line, expansion of Southern Star's capacity to serve the St. Louis area would be potentially difficult, time-consuming, and costly.

Granting Spire STL a temporary certificate will avoid potential supply disruptions this winter that could otherwise occur if the STL Pipeline is forced to immediately shutdown. The Commission should act to protect consumers in St. Louis by granting Spire STL's application for a temporary certificate in order

for Spire STL to continue to operate for a limited period until the Commission issues an order on remand from *Environmental Defense Fund v. FERC*.

V. CONCLUSION

Southern Star respectfully requests that the Commission grant its motion to intervene and consider these comments in this proceeding. Southern Star further urges the Commission to grant the relief requested in the Application to ensure adequate supplies of natural gas to the customers in the St. Louis metropolitan area.

Respectfully submitted,

/s/ John S. Wathen

Attorney for Southern Star Central Gas Pipeline,
Inc.

Dated: September 7, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding pursuant to 18 C.F.R. § 385.2010(f)(2).

Dated at Louisville, Kentucky, this 7th day of September 2021.

/s/ John S. Wathen