

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

Structural Glass Systems, Inc.)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2023-0143</u>
)	
Spire Missouri, Inc. d/b/a Spire,)	
)	
Respondent)	

POST-HEARING BRIEF OF STAFF

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through undersigned counsel, and for its *Post-Hearing Brief of Staff* respectfully states:

INTRODUCTION

Structural Glass System’s (SGS) formal complaint concerns a rebill of certain amounts which Spire Missouri Inc. d/b/a Spire (Spire) claims were not billed previously. Complainant began large general commercial service on November 24, 2021.¹ Complainant received and paid bills for service in December 2021, and in January, February, March, and April, 2022.² On May 2, 2022, SGS received a letter from Spire indicating that the meter was “faulty.” The letter stated that SGS would receive a billing adjustment on the next bill and that Spire would be offering the customer the ability to make payment arrangements to spread out the additional costs over time. The letter did not provide any details on the specific problems associated with the billing. Spire contacted the Complainant a number of times by mail and phone to discuss payment arrangements.³ Mr. Cyril Wrabec, the owner of SGS, filed an informal complaint with the Public Service Commission (PSC) Consumer Services Department (“CSD”) on July 20, 2022.

¹ Ex. 200, *Staff Report and Recommendation*, P. 2 (May 25, 2023)

² *Id.* at 2.

³ *Id.* at 3.

That investigation found no violation of rules or tariffs and was closed out on August 29, 2022.⁴ Spire discontinued SGS' gas service on September 29, 2022, due to non-payment on the account. On October 25, 2022, SGS filed this formal complaint. On December 23, 2022, the attorney for the Complainant filed an update in the formal complaint GC-2023-0143 stating that as of December 21, 2022, Spire agreed to enter into a payment plan and restored gas service to the Complainant.⁵ Staff is unaware at this time of the specifics of the payment plan agreed to by Spire and the Complainant.⁶

ISSUES:

- 1. From the period of November 24, 2021, to April 12, 2022, did Complainant use the amount of natural gas that Respondent rebilled Complainant for in the amount of \$7,822.66?**

Yes, during the period at issue, Complainant Structural Glass Systems, Inc. ("SGS"), used the amount of natural gas for which Respondent correctly rebilled Complainant in the amount of \$7,822.66.⁷

The Complainant received a rebill from Spire on May 11, 2022, for the period of service November 24, 2021, to April 12, 2022, resulting in a total amount of \$6,801.60 due for the rebilling on the account.⁸ Spire stated that in January, 2022, it discovered that the PTZ corrector configuration was incorrectly set on the meter.⁹ The PTZ corrector transmits usage data from the

⁴ *Id.*

⁵ *Update Note Regarding Gas Service* (December 23, 2022)

⁶ Ex. 200 at 5.

⁷ Ex 201. *Differential Meter Test* (May 25, 2023) demonstrated "...that the meter is operating normally and by extension accurately because the volume passed during rotation does not physically change."

Ex. 200 at 5 "Under the provisions of Spire's tariff Sheet No.R-.1, the Company (Spire) is able to make billing adjustments for over or under billing situations."

⁸ Ex. 200. P. 2.

⁹ *Id.*

meter to the billing system.¹⁰ Because of the incorrect setting on the PTZ corrector, the usage readings were conveyed to billing at approximately one-tenth of the true value.

To determine the rebill amount, Spire took the correct usage the meter had recorded and applied tariffed rates to it to determine a corrected bill amount for each of the months.¹¹ The amounts that the Complainant had already paid were subtracted from this to determine the additional amount (\$6,801.60) owed for this period.¹² In addition, the present usage charges for the month were added which brought the total bill to \$7,168.65.¹³ Spire provided recalculated usage values in response to Staff Data Request 0018.¹⁴ Staff did not identify any issues with the recalculated bills.¹⁵ Staff's expert testified that the meter test showed that SGS' meter was accurately measuring its usage.¹⁶ In its report Staff determined that there were no issues with the recalculated bills.¹⁷

2. To the extent that the answer to Issue A is yes, did Respondent violate any law or any Commission rule, order, or decision?

Based upon its investigation of SGS's formal complaint, Staff found no evidence that Spire violated any statute, tariff or Commission rule in regards to the rebilling of the account.¹⁸ The rebilling was based upon the appropriate tariffs and reflects the correct amounts.¹⁹

Under the provisions of Spire's tariff Sheet No.R-8.1, the Company is able to make billing adjustments for over or under billing situations.²⁰ The tariff Sheet No. R-8.2 also specifies that

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.* at 2-3.

¹³ *Id.* at 3.

¹⁴ *Id.* at 4

¹⁵ *Id.*

¹⁶ Tr. P. 94, II. 2-6.

¹⁷ Ex. 200, P. 4.

¹⁸ *Id.* at 5.

¹⁹ Tr. pp. 109-110

²⁰ Tr. pp. 108-109.

the customer may elect to pay the amount of the adjustment in equal installments over a period of at least double the period for which the billing adjustment was applicable.²¹ While it is Staff's opinion that Spire's contacts with the Complainant could have been handled better, it did not determine that Spire committed any violations.

CONCLUSION

Staff supports the conclusion that the Complainant used the gas for which it was initially incorrectly billed but subsequently rebilled. Staff recommended that the Complainant's meter was accurately measuring usage and the recalculated bills Spire issued were accurate. Additionally, Staff did not find that the Respondent violated any statute, Commission rule or tariff when it rebilled the Complainant. Staff further found that Spire properly followed its tariff when it rebilled SGS. As stated in Staff's Report, going forward, Staff recommends that Spire should initiate contact with the customer in an expeditious manner once it has been determined that the customer's bill is in error. Spire should develop talking points, particularly in instances involving technical issues, to ensure the message conveyed to the customer is consistent and understandable, and Spire should provide detailed information in the event of a rebill to ensure the customer can understand the charges.

WHEREFORE, Staff submits this Post-Hearing Brief for the Commission's consideration and information.

²¹ Ex. 200 at 5

Respectfully submitted,

/s/ Ron Irving

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**ATTORNEY FOR THE STAFF OF THE
MISSOURI PUBLIC SERVICE COMMISSION**

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail to all counsel of record on this 7th day of June, 2023.

/s/ Ron Irving