



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

FILED
January 10, 2020
Data Center
Missouri Public
Service Commission

Judge or Division:	Mo. P.S.C. Case Number: GO-2019-0356 and GO-2019-0357	
Plaintiff/Petitioner: Spire Missouri Inc.	Appellate Number:	<input type="checkbox"/> Filing as an Indigent
	Date of Judgment/Decree/Order: (ATTACH A COPY) October 30, 2019	Court Reporter:
vs.	Date Post Trial Motion Filed: November 11, 2019	<input type="checkbox"/> Sound Recording Equipment
Defendant/Respondent: Missouri Public Service Commission	Date Ruled Upon: December 11, 2019	The Record on Appeal will consist of: ____ Legal File only or <input checked="" type="checkbox"/> Legal File and Transcript

(Date File Stamp)

Notice of Appeal to Missouri Court of Appeals - Civil

District: Western Eastern Southern

Notice is given that Spire Missouri Inc. appeals from the judgment/decree/order entered in this action on October 30, 2019

Appellant's Name (If multiple, list all or attach additional pages) Spire Missouri Inc.	Respondent's Name (If multiple, list all or attach additional pages) Missouri Public Service Commission
Address 700 Market Street Saint Louis Mo. 63101	Address 200 Madison Street PO Box 360 Jefferson City, Mo. 65102
Appellant's Attorney/Bar Number (If multiple, list all or attach additional pages) Michael C. Pendergast, Mo. Bar No. 31763 Rick Zucker, Mo. Bar No. 49211	Respondent's Attorney/Bar Number (If multiple, list all or attach additional pages) Shelley Bruggemann, Mo. Bar No. 52173
Address 423 South Main Street (R) Saint Charles MO 63301	Address 200 Madison Street PO Box 360 Jefferson City, Mo. 65102
E-mail Address mcp2015law@icloud.com zuckerlaw21@gmail.com	E-mail Address shelley.brueggemann@psc.mo.gov
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Brief Description of Case (May be completed on a separate page) Application of Spire Missouri Inc. to Change its Infrastructure System Replacement Surcharge (ISRS) in its Spire Missouri East and West service territories.	
Issues Expected To Be Raised On Appeal (May be completed on a separate page. Appellant is not bound by this list.) Appellant expects to raise two main issues. First, the Public Service Commission (PSC) erred by unreasonably and unlawfully excluding ISRS costs erroneously attributed to the replacement of certain plastic piping that was deemed not to be ISRS eligible. Exclusion of these costs was unlawful and was unsupported by competent and substantial evidence on the whole record. Second, the PSC erred by unlawfully refusing to consider a new request for ISRS costs incurred but rejected in a prior ISRS case. Although the new request was based on new information and would be recovered only prospectively, the PSC errantly decided that it had no jurisdiction to consider such new request because the original request was the subject of an appeal at the Western District.	
Signature of Attorney or Appellant /s/ Rick E. Zucker	Date 01/09/2020

Electronically Filed - WESTERN DISTRICT CT OF APPEALS - January 09, 2020 - 03:28 PM

Certificate of Service on Persons other than Registered Users of the Missouri eFiling System

I certify that on January 9, 2020, a copy of the foregoing was sent to the following by facsimile, hand- delivery, electronic mail or U.S. mail postage prepaid to their last known addresses.

Missouri Public Service Commission by email to attorney Shelley Brueggemann at shelley.brueggemann@psc.mo.gov

Marc Poston, Director -- Office of the Public Counsel by email to opcservice@opc.mo.gov

William D. Steinmeier, Attorney for the City of St. Joseph, Missouri by email to wds@wdspsc.com

/s/ Rick E. Zucker
Appellant or Attorney for Appellant

Directions to Clerk

Transmit a copy of the notice of appeal and all attached documents to the clerk of the Court of Appeals and to any person other than registered users of the eFiling system in a manner prescribed by Rule 43.01. Clerk shall then fill in the memorandum below. See Rule 81.08(i). Forward the docket fee to the Department of Revenue as required by statute.

Memorandum of the Clerk

I have this day served a copy of this notice by regular mail registered mail certified mail facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.

I have transmitted a copy of the notice of appeal to the clerk of the Court of Appeals, Western District.

Docket fee in the amount of \$70.00 was received by this clerk on 1/9/20 which will be disbursed as required by statute.

No docket fee was received because:

a docket fee is not required by law under _____ (cite specific statute or other authority).

a motion to prosecute the appeal in forma pauperis was received on _____ (date) and was granted on _____ (date).

Date

Clerk

Additional Parties and Attorneys

List every party involved in the case not listed on page 1, indicate the position of the party in the circuit court (e.g. plaintiff, defendant, intervenor) and in the Court of Appeals (e.g. appellant or respondent) and the name of the attorney of record, if any, for each party. Attach additional pages to identify all parties and attorneys if necessary.

Party Name	Attorney Name
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Party Name	Attorney Name
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