

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 25th day of May, 2022.

Ronald E. Taylor,)
)
 Complainant,)
)
 v.)
)
 Spire Missouri Inc. d/b/a Spire,)
)
 Respondent.)

File No. GC-2022-0137

ORDER DISMISSING COMPLAINT

Issue Date: May 25, 2022

Effective Date: June 24, 2022

On November 17, 2021, Ronald E. Taylor filed a formal complaint with the Commission against Spire Missouri Inc. d/b/a Spire. On December 22, 2021, Spire filed its *Answer*. On January 18, 2022, the Staff of the Commission (Staff) filed its investigative *Staff Report*. Staff found no evidence to establish any violations of any statute, rule, or tariff by Spire.

On January 26, 2022, the Commission issued an order setting a procedural conference for February 15, 2022, to be conducted via WebEx video and teleconference. Mr. Taylor did not appear for the February 15th procedural conference and did not contact the Commission to request a continuance of the conference. On February 16, 2022, the Commission ordered Mr. Taylor to file a pleading showing cause as to why his complaint should not be dismissed for failure to appear for the procedural conference.

On February 25, 2022, Mr. Taylor filed his *Complainant Response to Show Cause Why Complaint Should Not Be Dismissed*. Mr. Taylor indicated he had not received notice of the conference and asked that all further correspondence and notice be sent to him through the United States Postal Service (USPS). In an order dated March 2, 2022, the Commission found good cause for Mr. Taylor's failure to appear for the February 15th procedural conference and allowed his case to proceed.

On March 31, 2022, the Commission issued an *Order Setting Procedural Conference* in which a procedural conference was scheduled for April 19, 2022, to be conducted via WebEx video and teleconference. As was the case in the January 26th order, the March 31st order specifically stated, "Failure to appear at the conference without being excused may result in dismissal of the complaint in accordance with Commission Rule 20 CSR 4240-2.090(5)." The scheduling order also specified that it was to be mailed to Mr. Taylor by USPS first class mail. Mr. Taylor did not appear for the April 19th procedural conference and did not contact the Commission to request a continuance of the conference.

On April 20, 2022, the Commission ordered Mr. Taylor to file a pleading showing cause as to why his complaint should not be dismissed for his second failure to appear for a procedural conference. Mr. Taylor was ordered to respond by May 4, 2022. No response has been filed.

Three Commission rules address the failure of a party to appear for a prehearing conference. First, Commission Rule 20 CSR 4240-2.116(3) states:

A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Second, Commission Rule 20 CSR 4240-2.090(5) states:

Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Third, Commission Rule 20 CSR 4240-2.070(7) states:

The commission, on its own motion or on the motion of a party, may after notice dismiss a complaint for failure to state a claim on which relief may be granted or failure to comply with any provision of these rules or an order of the commission, or may strike irrelevant allegations.

Mr. Taylor failed to appear for the April 19th scheduled prehearing conference and failed to comply with a Commission order to show good cause for his failure to appear.

Therefore, as provided by the Commission's rules, his complaint will be dismissed.

THE COMMISSION ORDERS THAT:

1. For all the reasons stated above, the complaint of Ronald E. Taylor against Spire is dismissed without prejudice.
2. This order shall become effective on June 24, 2022.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Seyer, Regulatory Law Judge

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 25th day of May, 2022.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 25, 2022

File/Case No. GC-2022-0137

**Missouri Public Service
Commission**

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

Sincerely,



**Morris L. Woodruff
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.