

**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 a)
Variance of its Tariff Rules and Regulations)
for Resale of Natural Gas)

Case No. GE-2023-0393

STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission and for its *Status Report* hereby states:

1. On May 19, Spire Missouri Inc. d/b/a Spire filed its *Application* requesting a variance from its tariff provisions related to the resale of natural gas and a waiver of the 60-day notice rule in connection with the new KCI Airport terminal built by the City of Kansas City. The Commission ordered Staff to file its recommendation no later than July 6, 2023. On June 30, the City of Kansas City filed an *Application to Intervene* and entered its counsels' appearance. The Commission has not ruled on the *Application to Intervene* at this time.

2. Spire's *Application* includes identification of 20 CSR 4240-4.017(1) and the specific tariff provision, both from which it requests a variance. Spire also identifies natural gas safety rules 20 CSR 4240-40.020 and 40.030. To certify that the City will comply with these rules, Spire provides the affidavit of Patrick Klein, the Director of Aviation for the City of Kansas City, attesting to recognize that the City must adhere to those rules and the Pipeline and Hazardous Materials Safety Administration (PHMSA) safety and reporting rules, as applicable. Staff's initial attempt to investigate this *Application* revealed that Patrick Klein has now retired and Staff has, to date, been unable to secure a substitute contact for the City of Kansas City.

3. Section 386.310, RSMo, grants the Commission jurisdiction over safety measures for all natural gas systems, including public utilities and municipal gas systems, to maintain the health and safety of employees, customers and the public. Specifically subsection 3(1) extends to situations where natural gas is issued to a single meter and then distributed to other users within a single structure. In accordance with that jurisdiction, the Commission has promulgated natural gas safety rules to ensure the health and safety of the people of Missouri. For example, 20 CSR 4240-40-020(11)(A)1 requires any operator of a gas pipeline or gas pipeline facility to obtain an Operator Identification Number (OPID) from PHMSA. 20 CSR 4240-40.030(1)(J)1 requires a pipeline operator to submit all plans, procedures and programs required by 20 CSR 4240-40.030 to the Commission. And 20 CSR 4240-40.030(1)(J)2 requires all pipeline operators under the Commission's jurisdiction to submit welding and joining procedures and construction specifications and standards to the Commission prior to construction activities commencing. These items were not included in Spire's initial *Application* and Staff intends to seek discovery for these items, as well as other items as required, to determine the compliance of the facilities with the Commission's rules. In order to evaluate the status of the City's compliance with the Commission's pipeline safety rules, Staff will also need to conduct an onsite inspection of the installed master meter facilities, and review the installation, operations and maintenance records required under 20 CSR 4240-40.030.

4. Staff supports the Commission granting the City of Kansas City's *Application to Intervene* and suggests that the City's participation in this matter will allow Staff to conduct a full investigation and provide a complete recommendation. Staff asks

for an extension to no later than October 13, 2023 for Staff to file either another status report or recommendation. This should permit time for the Commission to rule on the City of Kansas City's request to intervene and for Staff to conduct discovery, including the items identified in the gas safety provisions previously mentioned.

WHEREFORE, Staff prays that the Commission will accept this *Status Report*; grant an extension for file Staff to file either another status report or its recommendation no later than October 13, 2023; and provide such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Scurlock

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, to all parties or their representatives pursuant to the Service List maintained by the Commission's Data Center for this file, on this 6th day of July, 2023.

/s/Whitney Scurlock