

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

In the Matter of the Application of Spire Missouri)
Inc. to Change its Infrastructure System) **File No. GO-2019-0356**
Replacement Surcharge in its Spire Missouri)
East Service Territory)

In the Matter of the Application of Spire Missouri)
Inc. to Change its Infrastructure System) **File No. GO-2019-0357**
Replacement Surcharge in its Spire Missouri)
West Service Territory)

STAFF RESPONSE TO OPC'S MOTION TO COMPEL

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Staff Response to OPC's Motion To Compel* states that the Staff intends to provide a response to OPC's Data Requests Nos. 16, 17, and 18 on or by their due date of September 19, 2019, as discussed today at the September 13, 2019 teleconference and set forth in the Commission's July 17, 2019 *Order Directing Notice, Setting Intervention Deadline, and Directing Filings* (Order).¹ OPC's *Motion* is premature and unnecessary.

During the September 13, 2019 teleconference with OPC counsel and the regulatory law judge, Staff counsel defended its objection to OPC DRs 16, 17, and 18 on the grounds the data requests are overbroad, vague, and irrelevant to Spire's above-captioned ISRS application. Public Counsel offered to limit Staff's search for such reports to the past 10 years. As a result of the teleconference, Staff counsel understood the law

¹ On September 4th, OPC submitted 22 Data Requests to Staff in both Case Nos. GO-2019-0356 and GO-2019-0357. Staff objected to OPC Data Request Nos. 16, 17, and 18 in both cases on September 10, 2019. Pursuant to the Commission's Order, Staff's responses to OPC's Data Requests are due 15 days later on September 19, 2019.

judge to sustain OPC's Data Requests 16, 17, and 18, to be limited to a review of reports for the past 10 years:

OPC Data Request 16:

4. Has Spire Missouri ever reported that all of the cast iron mains currently in service in each of its service territories are worn out or in a deteriorated condition to the MoPSC Gas Safety Department **within the last ten years?** a. If so what actions has the Gas Safety Department taken in response to this report?

OPC Data Request 17:

5. Has Spire Missouri ever reported that all of the non-cathodically protected steel mains currently in service in each of its service territories are worn out or in a deteriorated condition to the MoPSC Gas Safety Department **within the last ten years?** a. If so what actions has the Gas Safety Department taken in response to this report?

OPC Data Request 18:

Has Spire Missouri ever reported that all of the non-cathodically protected steel services currently in service in each of its service territories are worn out or in a deteriorated condition to the MoPSC Gas Safety Department **within the last ten years?** a. If so what actions has the Gas Safety Department taken in response to this report?

Accordingly, Staff intends to comply with the direction given by the Regulatory Law Judge and will provide OPC with responses on September 19, 2019, to all of the Data Requests that OPC issued to Staff on September 4, 2019, including the objected to DRs 16, 17, and 18, as limited to the 10 year report search resulting from the September 13, 2019 teleconference.

WHEREFORE, for the above stated reasons, Staff respectfully requests the Commission dismiss OPC's *Motion to Compel* as unnecessary and premature.

Respectfully submitted,

/s/ Robert S. Berlin

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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, on this 13th day of September, 2019, to all counsel of record.

s/ Robert S. Berlin