

In the Matter of:

**Claude Scott**

v.

**Spire Missouri**

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**GC-2020-0201, VOL 1**

*May 11, 2020*

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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

Procedural Conference

May 11, 2020

Jefferson City, Missouri

Volume 1

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Claude Scott,	)	
	)	
Complainant,	)	
	)	
vs.	)	File No. GC-2020-0201
	)	
Spire Missouri, Inc.	)	
d/b/a Spire,	)	
	)	
Respondent.	)	

JANA JACOBS, Presiding  
REGULATORY LAW JUDGE

REPORTED BY:  
Beverly Jean Bentch, CCR No. 640  
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

TRAVIS PRINGLE, Legal Counsel  
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FOR: Staff of the Public Service Commission

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FOR: Spire Missouri, Inc. d/b/a Spire

Also participating: Claude Scott

P R O C E E D I N G S

1  
2 JUDGE JACOBS: We are now on the record for  
3 the conference scheduled for today, May 11, 2020, in  
4 this matter, File No. GC-2020-0201. This case concerns  
5 Mr. Claude Scott who is the complainant and Spire  
6 Missouri which is the respondent.

7 The conference was set for 11:15 a.m. today  
8 and it is now 11:18 a.m. My name is Jana Jacobs, and I  
9 am the Regulatory Law Judge assigned to this matter.  
10 I'll note for the record that this conference is being  
11 conducted by telephone. The Commission has set this  
12 time for a procedural conference in this case.

13 The purpose of the conference is to allow the  
14 parties to meet to establish a hearing date and discuss  
15 other procedural issues. Once I leave the call the  
16 parties may also wish to discuss the possibility of  
17 settlement to resolve this case.

18 We have a court reporter present on the line  
19 who will be preparing a transcript of the on-the-record  
20 portion of this conference today. I will begin by  
21 asking the parties to enter their appearances for the  
22 record. The complainant in this case is Mr. Claude  
23 Scott. Mr. Scott, are you present on the line, sir?

24 MR. SCOTT: Yes, I am.

25 JUDGE JACOBS: Okay. Could you provide your

1 first and last name and then spell both of them for the  
2 court reporter, please, sir?

3 MR. SCOTT: Claude Scott spelled C-l-a-u-d-e,  
4 last name Scott, S-c-o-t-t.

5 JUDGE JACOBS: Thank you very much, sir. And  
6 because we're all participating by phone, I will ask any  
7 of the lawyers who are present today to identify  
8 yourselves by name and then provide your address and  
9 phone number for the court reporter, please. So could  
10 we start with counsel present for Spire Missouri,  
11 please?

12 MS. BOCKSTRUCK: Yes. This is Goldie  
13 Bockstruck, 700 Market Street, St. Louis, Missouri,  
14 63101. My phone number is 314.342.0533.

15 JUDGE JACOBS: Thank you very much. And now  
16 could we hear from counsel for Commission Staff, please?

17 MR. PRINGLE: Thank you, Judge. This is  
18 Travis Pringle with the Staff Counsel Office. My  
19 address is PO Box 360, Jefferson City, Missouri, 65102.  
20 I am joined by staff members Tammy Huber and Scott  
21 Glasgow.

22 JUDGE JACOBS: Thank you very much. I don't  
23 believe we have anyone on the line for the Office of the  
24 Public Counsel. I didn't see anyone else join. I am  
25 able to see on the computer how many lines I have here.

1 So it doesn't appear that there are any unidentified  
2 callers on the line at this time. So the first question  
3 to ask is whether there are any preliminary matters or  
4 issues that we should take up at this point. Did anyone  
5 have anything to address?

6 MR. SCOTT: The only preliminary that I wanted  
7 to bring up, I don't know if it was mentioned in the  
8 complaint, is that we have had to this date -- I've been  
9 in the premises for a little bit over a year now -- to  
10 this date we've had no inspection, nor have I seen any  
11 on-site representative from Spire to read or inspect the  
12 meter. That's the only preliminary matter I wanted to  
13 bring up.

14 JUDGE JACOBS: Mr. Scott, that would actually  
15 be an issue I think that addresses some of the  
16 allegations that you made in your complaint. Today  
17 we're going to be talking more about the process of  
18 resolving the complaint rather than any of the factual  
19 assertions that you've made.

20 MR. SCOTT: Okay.

21 JUDGE JACOBS: So we can't address that today  
22 in this conference. Did anybody else have anything to  
23 add before we talk about what we would like to  
24 accomplish in this discussion today? Okay. We don't  
25 have any -- I wasn't aware of anything, but I wanted to

1 make sure everyone had a chance. So the purpose of  
2 getting everyone together here today is so that everyone  
3 has a chance to talk about how this case can be  
4 resolved. And one of the issues in doing that is, is it  
5 going to be necessary to use a hearing to resolve  
6 Mr. Scott's complaint and to figure out when that  
7 hearing would take place.

8 Obviously under the circumstances that we're  
9 all living in right now there are a lot of questions  
10 about the use of certain facilities and things like  
11 that. So one of the issues that will have to be  
12 addressed is whether or not we would be able to resolve  
13 this case with a hearing that would take place either in  
14 a teleconference format like this or using a web  
15 conferencing format where we would be able to see each  
16 other but would not necessarily all be in one place at  
17 one time. So that's one of the issues that I'm going to  
18 be asking the parties to discuss as part of this  
19 conference today. And I understand that that is not an  
20 easy situation to deal with but we do have to try to  
21 figure out how to deal with it.

22 So I was hoping that staff counsel could work  
23 with the parties and talk about a proposed schedule and  
24 then provide a schedule to file a proposed schedule  
25 within about 10 days and if for some reason you aren't

1 going to be able to do that, just file a status report  
2 indicating when you'll be able to file something. Would  
3 that work for you, Mr. Pringle?

4 MR. PRINGLE: Yes, Judge. I do want to point  
5 out one thing. Even though the Governor's order did  
6 reopen government buildings, my understanding both the  
7 Jefferson City Governor Office Building and our building  
8 in St. Louis, they aren't owned by the government and  
9 they have not opened to the public yet. So right now we  
10 couldn't do an in-person in either place at this time.

11 JUDGE JACOBS: Right. I was aware of that  
12 situation and I think that's really helpful to point out  
13 to everyone as we try to figure out what kind of  
14 procedure is going to be necessary to resolve the case,  
15 because obviously we don't necessarily have access to  
16 the buildings that we typically do. So this case has  
17 been designated a small formal complaint, I believe. So  
18 typically that would be handled in St. Louis. So that's  
19 one of the real barriers we're going to come up against  
20 I think with an in-person hearing in this case. So  
21 hopefully we can try to come up to some kind of  
22 solution.

23 A lot of the Commission proceedings are going  
24 to be taking place online at least for awhile. So that  
25 may be something that we have to consider for this case.



1 MR. SCOTT: Judge, can I bring up a point  
2 since you brought up the online situation? I don't know  
3 if you're aware but right now I am not on internet. And  
4 the libraries that have access to the internet to allow  
5 you to do such a conference are all closed. So we don't  
6 have a public library in St. Louis open neither in St.  
7 Louis County nor in St. Louis City, because that's  
8 normally where I would go to entertain any information  
9 be gathered or submitted on the internet. I don't know  
10 if we can try something different from what you just  
11 described, but until the library is open I would not  
12 have access to the internet.

13 JUDGE JACOBS: So I think clearly that's  
14 critical. So if we're going to talk about doing some  
15 kind of online alternative, then the party's ability to  
16 participate in that has to be considered. So if that  
17 isn't something that we can do, then we would have to  
18 talk about whether we could just use the telephone  
19 conference in order to conduct a hearing. That should  
20 be considered. If not, if we believe that the only way  
21 to resolve it is with an in-person hearing, then an  
22 agreement on a location for that, understanding that  
23 looking into the future we don't know how long certain  
24 buildings may remain closed. So certainly, Mr. Scott,  
25 in your discussions with staff counsel and counsel for

1 the company, whether or not you can do a web conference  
2 would have to be taken into consideration. So that  
3 means, of course, then if that is not possible, then  
4 everyone needs to figure out how to make an alternative  
5 work. And the only alternative I'm aware of is meeting  
6 at a certain location to take care of a hearing  
7 depending on what the social distancing recommendations  
8 are at that time and then trying to accomplish something  
9 over the telephone if the parties are not able to  
10 resolve the complaint outside of a hearing.

11 So actually figuring out that schedule is  
12 something that you all will have a chance to talk about  
13 when I'm no longer on the line. So did anyone have any  
14 other part of that that they want to discuss before I am  
15 no longer here on the line today?

16 Okay. So as I said before, I think one of the  
17 issues will be the timeline for a hearing. So what we  
18 can try to do is prospectively agree on a date when a  
19 hearing could take place after you've sorted through  
20 whether or not it could be accomplished by telephone  
21 exclusively, if there's any web conferencing option that  
22 would work for Mr. Scott and if not, then whether the  
23 parties can agree on a location. So I think one of the  
24 issues would be there is if the building in Jeff City  
25 were to open up whether Mr. Scott would agree to having

1 his hearing there or not and then if not, what would be  
2 a viable location for a hearing in St. Louis and then,  
3 of course, as the hearing date got closer we have to  
4 actually confirm that a hearing could be held there in  
5 compliance with whatever the requirements are at that  
6 time. And maybe just setting a date in the future  
7 prospectively at this point is really the best that we  
8 can do, because we don't know exactly what's going to  
9 happen or when buildings are going to open up. So we  
10 simply have to just do the best that we can.

11 MR. SCOTT: Your Honor, I do have a question  
12 about the location and that is that if the Jefferson  
13 City location opens, does that automatically mean the  
14 St. Louis location opens as well?

15 JUDGE JACOBS: So I don't think anybody on  
16 this call can answer that question, because that is  
17 really an issue of the management of those individual  
18 buildings and then also whatever state government  
19 decides to do in response to the pandemic as well as  
20 city government. So I don't think that anyone on the  
21 call today could answer that, sir.

22 MR. SCOTT: Okay.

23 JUDGE JACOBS: Okay. So I would hope that  
24 after the parties can talk about a procedural schedule  
25 that you would be able to answer whether it is going to

1 be necessary to have a hearing in this case and if so,  
2 when the parties would agree that that hearing could  
3 take place and then whether any portion of it could be  
4 resolved through the telephone conference or web  
5 conference, although it sounds like Mr. Scott is saying  
6 he doesn't have internet access to make a web conference  
7 viable for him. I don't know if any other party will  
8 have some other suggestions for how that might work.

9           So those would be the issues that you'd have  
10 to figure out to propose a schedule in this case. And  
11 then, of course, there's the question of, larger  
12 question of whether this case has to be resolved in a  
13 hearing or if there could be some kind of resolution  
14 through settlement.

15           So is there anything else that anyone wants to  
16 discuss at this time? I think that's like the third  
17 time I've asked. This will be the last time.

18           MR. SCOTT: Well, I do --

19           JUDGE JACOBS: I'm sorry. Was that Mr.  
20 Pringle?

21           MR. PRINGLE: Mr. Scott can go first. Sorry.

22           JUDGE JACOBS: Okay. Mr. Scott, go ahead.

23           MR. SCOTT: Your Honor, I happen to believe  
24 that the case can be resolved without a hearing, because  
25 it's not an exorbitant amount. The real issue is the

1 fact that --

2 JUDGE JACOBS: Sir, you actually should  
3 discuss that with the company. You shouldn't discuss  
4 that with me.

5 MR. SCOTT: Okay.

6 JUDGE JACOBS: I'm pleased to hear that you'd  
7 be interested in resolving the case. That would not  
8 involve me at all. Okay?

9 MR. SCOTT: Okay.

10 JUDGE JACOBS: Because I would have to  
11 potentially preside if we do have a hearing in this  
12 case.

13 MR. SCOTT: I understand.

14 JUDGE JACOBS: If you'd like to present that,  
15 you can talk about that when I'm not on the call. Okay?

16 MR. SCOTT: Okay.

17 JUDGE JACOBS: Was there anything else you  
18 wanted to say, sir?

19 MR. SCOTT: No, not at this time, no.

20 JUDGE JACOBS: Okay. Mr. Pringle, did you  
21 have something to say?

22 MR. PRINGLE: I want to make sure I heard.  
23 You said if we do have a hearing and file the schedule  
24 within 10 days, is that it, Judge?

25 JUDGE JACOBS: Yes. If you could do it within

1 10 days, that would be great. That's when I would  
2 expect to see something.

3 MR. PRINGLE: Okay. Thank you.

4 JUDGE JACOBS: Okay. I appreciate staff  
5 counsel taking care of that for us.

6 Ms. Bockstruck, did you have anything you  
7 wanted to add today?

8 MS. BOCKSTRUCK: No, I do not.

9 JUDGE JACOBS: Okay.

10 MS. BOCKSTRUCK: Well, I should add actually  
11 there is a possibility if we do need to do a hearing  
12 that maybe we could do it in Spire's offices, because we  
13 have limited access availability to this building.

14 JUDGE JACOBS: So you're proposing that  
15 possibly a hearing could take place at Spire's offices  
16 in the St. Louis area?

17 MS. BOCKSTRUCK: Yes.

18 JUDGE JACOBS: Okay. I would probably have to  
19 discuss that with other members of the adjudicative  
20 staff to make sure that that is okay. If the parties  
21 could suggest that as an option, would you please just  
22 provide that as an alternative so we don't have to go  
23 back and revise anything if we discover that it isn't  
24 possible to do that.

25 MS. BOCKSTRUCK: Okay.

1 JUDGE JACOBS: If that makes sense. I can't  
2 say for sure that it would be viewed as appropriate to  
3 do so. We typically have hearings take place at a  
4 neutral location. This is an exceptional situation, of  
5 course, but I would just ask that if that is proposed  
6 please propose it as an alternative. Okay?

7 MS. BOCKSTRUCK: All right.

8 JUDGE JACOBS: Thank you. Ms. Bentch, did you  
9 get everything today? Did you have anything we need to  
10 clarify before we go off the record?

11 THE COURT REPORTER: I'm good.

12 JUDGE JACOBS: Okay. Thank you very much. So  
13 the way this will work now is this conference line has  
14 been reserved for a total of two hours. So I am going  
15 to disconnect my audio line. I'm technically still the  
16 host of this conference but I can't hear anything. And  
17 then when you're done with your conversation and you  
18 have all disconnected, then I will close the line. That  
19 will allow the parties, Mr. Scott, you and the company  
20 to discuss your case, as well as staff counsel, and then  
21 see if you can agree on a procedural schedule to get  
22 this case resolved and also you can talk about whether  
23 it would be possible to resolve your complaint without a  
24 hearing.

25 So I am going to excuse myself from this

1 conference at this time. I won't be able to hear your  
2 further discussion. The telephone conference line is  
3 reserved through 1:15. So go ahead and stay on until  
4 you complete your discussion. This conference has now  
5 ended and we are now off the record. Thank you all so  
6 much.

7 MR. PRINGLE: Thank you, Judge.

8 MS. BOCKSTRUCK: Thank you.

9 MR. SCOTT: Thank you.

10 (Off the record.)

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CERTIFICATE OF REPORTER

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*Beverly Jean Bentch*

Beverly Jean Bentch, RPR, CCR No. 640

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