

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

In the Matter of the Application of)	
Laclede Gas Company to Transfer an)	Case No. GM-2017-0018
Asset to Spire Pipeline, Inc.)	

**OPC REQUEST TO RESERVE THE RIGHT TO REQUEST A
HEARING, AND ALTERNATIVE REQUEST FOR HEARING**

COMES NOW the Office of the Public Counsel (“OPC”) and for its Request to Reserve the Right to Request a Hearing, and Alternative Request for Hearing, states:

1. On July 18, 2016, Spire Inc.’s regulated gas distribution company, Laclede Gas Company (“Laclede”), filed a Notice of its intent to file an application to transfer an 8-mile pipeline to its affiliate, Spire Pipeline, Inc. (EFIS No. 2).

2. On July 27, 2016, nine days after Laclede filed its Notice, OPC issued five data requests to Laclede (DRs 1000-1004). Rather than reply to the data requests within the twenty days required by Commission rule 4 CSR 240-2.090(2)(C), Laclede ignored OPC’s data requests. Laclede waited until it filed its application on October 31, 2016 to even recognize OPC’s data requests and then waited the full twenty days and emailed answers to OPC at 6:52 p.m. on November 21, 2016.

3. Laclede’s intentional delay in providing OPC with answers to its data requests suggests Laclede is reluctant to provide transparency regarding the proposed sale. Laclede waited until the very last day, and almost the very last hour of its self-determined discovery schedule to provide an answer to data requests served on them 96 days prior. In other words, Laclede waited 116 days to answer OPC’s July 27, 2016 data

requests. These are not actions of a company wanting to be forthcoming to its customers or the Commission about the proposed asset sale to its affiliate.

4. Laclede's answers to OPC's data requests provide OPC with additional concerns that Laclede's proposed sale is not in the public interest and would be a violation of important consumer protections built into the Commission's affiliate transaction rules.

5. At this time, OPC wishes to engage all relevant stakeholders in discussions regarding the application and whether the parties can come to a consensus on the outcome of this case. This includes any conditions the parties may deem reasonable. Until those discussions are held, it may be premature for OPC to request an evidentiary hearing because a hearing may ultimately be unnecessary. However, due to the important public interest issues raised by this application, OPC requests that the Commission allow OPC to reserve the right to request an evidentiary hearing in the future.

6. Should the Commission deny OPC's request to reserve the right to request an evidentiary hearing in the future, OPC hereby requests in the alternative an evidentiary hearing and that the Commission direct the parties to agree upon a procedural schedule that includes dates for pre-filed testimony and an evidentiary hearing.

WHEREFORE, the Office of the Public Counsel respectfully requests the Commission grant this request to reserve the right to request a hearing in the future, or alternatively, grant the Office of Public Counsel's request to set this matter for a hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 5th day of December 2016.

/s/ Marc Poston