

**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-2018-0309**  
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-2018-0310**  
Replacement Surcharge in its Spire Missouri )  
West Service Territory )

**STAFF RESPONSE**

**COMES NOW** the Staff of the Missouri Public Service Commission pursuant to the Commission’s *Order Directing Filing* (“Order”) issued May 16, 2018, and states as follows:

1. On April 30, 2018, Spire Missouri Inc. (“Spire” or “Company”) filed a “Request for Waiver of Rule 4 CSR 4.017(1) for ISRS Case Filings, or in the Alternative, Notice of Intended Case Filings” on behalf of its operating units. Spire’s pleading requested waiver of the notice provisions of Rule 4 CSR 4.017(1) [sic]<sup>1</sup> pursuant to Commission Rule 4 CSR 240-4.017(4)(D) [sic]<sup>2</sup>. In the alternative, if the waiver is not granted, Spire’s pleading provided notice that the Company intends to file its next ISRS cases in 60 days from the date of filing the pleading.

2. On May 14, 2018, the Office of the Public Counsel (“OPC”) filed a “Motion to Reject Spire Missouri Inc.’s Request for Waiver of Rule 4 CSR 240.017(1) for ISRS Case Filings or Motion to Reject *Sua Sponte*.” OPC notes that Spire states in its

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<sup>1</sup> 4 CSR 240-4.017(1).

<sup>2</sup> Presumably this was intended to refer to 4 CSR 240-4.017(1)(D) which contains the waiver provisions, rather than 4 CSR 240-4.017(4)(D).

pleading that it does not know what issues are likely to be before the Commission in these cases, yet it also states that no one acting on its behalf has had communication with the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in these ISRS cases.

3. On May 16, 2018, the Commission issued an *Order Directing Filing* in which it ordered Staff to respond to OPC's objection no later than May 21, 2018.

4. Although Staff takes no position on Spire's requested waiver or OPC's objection, Staff would first note that Spire, or its predecessors in interest, has previously received waivers from the sixty-day notice requirement in ISRS cases. See GO-2015-0341, GO-2015-0343, GO-2016-0196, and GO-2016-0197. In GO-2015-0341 and GO-2015-0343 the waiver request was unopposed; in GO-2016-0196 and GO-2016-0197 OPC opposed the requested waiver yet the waiver was granted anyway.

5. Staff would also note that although Spire's pleading requested waiver of the sixty-day notice requirement, *in the alternative*, if the waiver is not granted Spire's pleading provided the required notice. Therefore, even if the Commission grants OPC's motion to reject the requested waiver, such action would not result in dismissal of the case but rather a delay of approximately 2 or 3 weeks in the filing of the actual ISRS applications.

**WHEREFORE**, Staff submits this response for the Commission's consideration pursuant to the Commission's *Order Directing Filing* ("Order") issued herein on May 16, 2018.

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

Jeffrey A. Keevil  
Deputy Counsel  
Missouri Bar No. 33825  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 526-4887 (Telephone)  
(573) 751-9285 (Fax)  
Email: [jeff.keevil@psc.mo.gov](mailto:jeff.keevil@psc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 21<sup>st</sup> day of May, 2018.

**/s/ Jeffrey A. Keevil**