



IN THE \_\_\_\_\_ JUDICIAL CIRCUIT, \_\_\_\_\_ COUNTY, MISSOURI

FILED  
January 10, 2020  
Data Center  
Missouri Public  
Service Commission

Judge or Division: Missouri Public Service Commission	Circuit Court Case Number: GO-2019-0357	
Plaintiff/Petitioner: The Missouri Office of the Public Counsel	Appellate Number:	<input type="checkbox"/> Filing as an Indigent
	Date of Judgment/Decree/Order: (ATTACH A COPY) October 30, 2019	Court Reporter:
vs.	Date Post Trial Motion Filed: November 11, 2019	<input type="checkbox"/> Sound Recording Equipment
Defendant/Respondent: Missouri Public Service Commission; and  Spire Missouri, Inc.	Date Ruled Upon: December 11, 2019	The Record on Appeal will consist of: ___ Legal File only or <input checked="" type="checkbox"/> Legal File and Transcript



(Date File Stamp)

Notice of Appeal to Missouri Court of Appeals - Civil

District:  Western  Eastern  Southern

Notice is given that The Missouri Office of the Public Counsel appeals from the judgment/decree/order entered in this action on October 30, 2019 (date).

Appellant's Name (If multiple, list all or attach additional pages)  The Missouri Office of the Public Counsel	Respondent's Name (If multiple, list all or attach additional pages)  Missouri Public Service Commission;  And  Spire Missouri, inc.
Address  200 Madison Street, Suite 650, PO Box 2230, Jefferson City, MO 65102	Address  200 Madison Street PO Box 360 Jefferson City, Mo. 65102  And  700 Market Street Saint Louis Mo. 63101
Appellant's Attorney/Bar Number (If multiple, list all or attach additional pages)  Marc Poston, Mo. Bar No. 45722 John Clizer, Mo. Bar No. 69043	Respondent's Attorney/Bar Number (If multiple, list all or attach additional pages)  Shelley Bruggemann, Mo. Bar No. 52173  And  Michael C. Pendergast, Mo. Bar No. 31763 Rick Zucker, Mo. Bar No. 49211
Address  200 Madison Street, Suite 650, P.O. Box 2230, Jefferson City, Mo. 65102	Address  200 Madison Street PO Box 360 Jefferson City, Mo. 65102  AND  423 South Main Street (R) Saint Charles MO 63301
E-mail Address	E-mail Address

<u>Marc.poston@opc.mo.gov</u> <u>John.clizer@opc.mo.gov</u>	<u>shelley.brueggemann@psc.rno.gov</u>  and  <u>mcp20151aw@icloud.com</u> <u>zuckerlaw21@Qmail.com</u>
Telephone  Poston: (573) 751-5318 Clizer: (573) 751-5557	Telephone  PSC: (573) 751-7393  And  Spire: (314) 288-8723
Brief Description of Case (May be completed on a separate page)  Application of Spire Missouri Inc. to Change its Infrastructure System Replacement Surcharge (ISRS) in its Spire Missouri East and Missouri West service territories	
Issues Expected To Be Raised On Appeal (May be completed on a separate page. Appellant is not bound by this list.)  Appellant expects to raise the following as issues: (1) that the Missouri Public Service Commission's October 30, 2019, Report and Order was unlawful, unjust, and/or unreasonable because it incorrectly allowed Spire to recover costs related to the replacement of cathodically protected steel mains for which there is no government mandated requirement to replace as required by the ISRS statute; (2) that the Missouri Public Service Commission's October 30, 2019, Report and Order was unlawful, unjust, and/or unreasonable because it incorrectly allowed Spire to recover costs related to the replacement of cathodically protected steel mains using an unlawful presumption of condition based on pipe material; and (3) that the Missouri Public Service Commission's October 30, 2019, Report and Order was unlawful, unjust, and/or unreasonable because it incorrectly allowed Spire to recover costs related to the replacement of cathodically protected steel mains for which there was insufficient evidence to prove said mains were worn out or in deteriorated condition, as required by the ISRS statute.	
<b>Docket Fee Information</b>	
<input type="checkbox"/> The docket fee in the amount of \$70.00 is being tendered with this notice of appeal. <input checked="" type="checkbox"/> No docket fee is being tendered because:	
<input checked="" type="checkbox"/> a docket fee is not required by law pursuant to <u>Rule 100.02(b) §483.500.1</u> (cite specific statute or other authority).  <input type="checkbox"/> a motion to prosecute the appeal in forma pauperis has been or will be filed.  <input type="checkbox"/> a docket fee in the amount of \$70.00 cannot be tendered at this time but will be submitted at a later date or this appeal will be subject to dismissal pursuant to Rule 84.08(a).	
Signature of Attorney or Appellant  	Date  01/09/2020
<b>Certificate of Service on Persons other than Registered Users of the Missouri eFiling System</b>	
I certify that on <u>January 9, 2020</u> (date), a copy of the foregoing was sent to the following by facsimile, hand-delivery, electronic mail or U.S. mail postage prepaid to their last known addresses.  <u>Missouri Public Service Commission; Spire Missouri, Inc.; and City of St. Joseph, Missouri</u>	
 _____ Appellant or Attorney for Appellant	

**Directions to Clerk**

Transmit a copy of the notice of appeal and all attached documents to the clerk of the Court of Appeals and to any person other than registered users of the eFiling system in a manner prescribed by Rule 43.01. Clerk shall then fill in the memorandum below. See Rule 81.08(i). Forward the docket fee to the Department of Revenue as required by statute.

**Memorandum of the Clerk**

I have this day served a copy of this notice by  regular mail  registered mail  certified mail  facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.

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I have transmitted a copy of the notice of appeal to the clerk of the Court of Appeals, \_\_\_\_\_ District.

- Docket fee in the amount of \$70.00 was received by this clerk on \_\_\_\_\_ (date) which will be disbursed as required by statute.
- No docket fee was received.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

Additional Parties and Attorneys

List every party involved in the case not listed on page 1, indicate the position of the party in the circuit court (e.g. plaintiff, defendant, intervenor) and in the Court of Appeals (e.g. appellant or respondent) and the name of the attorney of record, if any, for each party. Attach additional pages to identify all parties and attorneys if necessary.

Party Name	Attorney Name
City of St. Joseph, Missouri, Intervenor	William D Steinmeier
Address	Address
	2031 Tower Drive
City, State, Zip Code	City, State, Zip Code
	Jefferson City MO 65109
	E-mail Address
	wds@wdspsc.com
	Telephone
	(573) 659-8672
Party Name	Attorney Name
Address	Address
City, State, Zip Code	City, State, Zip Code
	E-mail Address
	Telephone
Party Name	Attorney Name
Address	Address
City, State, Zip Code	City, State, Zip Code
	E-mail Address
	Telephone
Party Name	Attorney Name
Address	Address
City, State, Zip Code	City, State, Zip Code
	E-mail Address
	Telephone