

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 27th day of
September, 2018.

In the Matter of Spire Missouri, Inc. d/b/a Spire's)	
Compliance with the Commission's Order and)	<u>File No. GO-2019-0040</u>
Stipulation and Agreement in Case No. GM-2013-0254)	

**ORDER RELIEVING SPIRE MISSOURI OF THE OBLIGATION TO FILE A
QUARTERLY REPORT**

Issue Date: September 27, 2018

Effective Date: October 27, 2018

This file was opened on August 10, 2018, when Staff filed a motion asking the Commission to enforce Spire Missouri, Inc.'s compliance with the terms of the Commission-approved stipulation and agreement regarding Laclede Gas Company's acquisition of Missouri Gas Energy. Staff's motion expressed concern that Spire Missouri had indicated its intent to unilaterally cease complying with a provision of the stipulation and agreement that requires it to file a quarterly report certifying its compliance with the requirements of the stipulation and agreement that it "diligently exercise its best efforts to insulate the Laclede and MGE Divisions¹ from any adverse consequences from its other operations or the activities of any of its affiliates."

Spire Missouri responded to Staff's motion on August 20. Spire Missouri's response asks the Commission to determine that the quarterly certification report requirement of the stipulation and agreement is no longer necessary because of the passage of five years,

¹ The Laclede and MGE divisions are now known as Spire Missouri East and Spire Missouri West respectively.

because both utilities have been through a comprehensive rate case and other proceedings, and because the filing of a certificate of compliance every three months is neither necessary, nor useful. Spire Missouri emphasized that it does not request leave to cease complying with the substance of the stipulation and agreement. Rather, it simply asks to be allowed to cease filing the quarterly reports.

At the Commission's direction, both Staff and Public Counsel responded to Spire Missouri's request on September 21. Staff indicates it does not oppose removing the quarterly filing requirement, but emphasizes that Spire Missouri should continue to be held to compliance with the other requirements of the stipulation and agreement. Similarly, Public Counsel suggests the Commission either deny Spire Missouri's request, or grant the request while strongly emphasizing that it is not waiving, changing, or eliminating any other provision of the stipulation and agreement.

The provision of the stipulation and agreement that is at issue is paragraph 16, entitled Insulation of MGE from LG Business. That provision states:

To insulate the MGE Division and Laclede Gas from the Transaction, LG represents that:

- a. MGE will be owned and operated as a division of Laclede Gas, which shall remain a separate subsidiary of LG, unless otherwise approved by the Commission.
- b. Laclede Gas shall not transfer to LG or any subsidiary thereof, directly or indirectly, assets necessary and useful in providing service to MGE's Missouri customers without Commission approval.
- c. Laclede Gas will diligently exercise its best efforts to insulate the Laclede and MGE Divisions from any adverse consequences from its other operations or the activities of any of its affiliates.
- d. Laclede Gas shall submit reports certifying its compliance with this paragraph on a quarterly basis to the Staff electronically through EFIS and to OPC, and other interested parties that are permitted to receive proprietary or confidential information as contemplated by applicable Commission rules or orders until the Commission determines that the Laclede and MGE Divisions are insulated from LG's other operations and the activities of any of its affiliates or that the requirement is no longer needed.

The emphasized language in subsection d indicates the Commission may determine that Laclede Gas (now Spire Missouri) may cease filing the quarterly certification reports if the Commission finds either that the Laclede and MGE Divisions (now Spire East and Spire West) are sufficiently insulated, or that the quarterly certification reports are no longer needed. Staff and Public Counsel agree the quarterly certification reports are no longer needed. They also agree the Commission should not make any finding that the divisions are now sufficiently insulated.

The Commission will relieve Spire Missouri of its obligation to file the quarterly certification report required by subsection 16d of the stipulation and agreement approved on July 17, 2013, in File No. GM-2013-0254. In doing so, the Commission finds only that the quarterly certification report is no longer needed. The Commission makes no finding regarding the insulation of the Spire East and Spire West Divisions from the activities of Spire, Inc., and specifically does not relieve Spire Missouri, or any other party, of any obligation to comply with any other term of that stipulation and agreement.

THE COMMISSION ORDERS THAT:

1. Spire Missouri, Inc. is relieved of the obligation to file the quarterly certification report required by subsection 16d of the stipulation and agreement approved in File No. GM-2013-0254 on July 17, 2013.

2. This order shall be effective on October 27, 2018.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

Silvey, Chm., Hall, Rupp, and
Coleman, CC., concur;
Kenney, C., absent.

Woodruff, Chief Regulatory Law Judge,

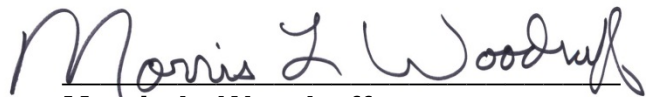
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 27th day of September 2018.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 27, 2018

File/Case No. GO-2019-0040

Missouri Public Service Commission

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.