

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Staff's Investigation of Spire)
STL Pipeline's Application at FERC for a) File No. GO-2022-0022
Temporary Certificate to Operate)

ORDER DIRECTING SPIRE MISSOURI TO COOPERATE WITH STAFF IN COMMUNICATING WITH CUSTOMERS

Issue Date: November 18, 2021

Effective Date: November 18, 2021

On July 28, 2021, the Commission directed its Staff to investigate concerns about service disruptions to Spire Missouri's provision of natural gas in the St. Louis area that might result from the shut-down of the Spire STL Pipeline. Such a shut-down might result from a recent decision of the U.S. Appellate Court for the D.C. Circuit that vacated the certificate of convenience and necessity that had been issued by the Federal Energy Regulatory Commission (FERC) for the operation of the pipeline. The FERC has issued a temporary emergency operating permit to allow the Spire STL Pipeline to continue to operate until December 13, 2021, but has not yet acted to extend that permit.

On August 16, 2021, Staff filed its *Initial Report* describing the results of its investigation. Staff stated: "Staff acknowledges that Spire Missouri cannot reasonably reconfigure its system to replace or restore former capacity, or replace reliance on Spire STL for transportation before or during the Winter of 2021-2022. Spire Missouri in its current configuration would benefit from transportation support by Spire STL on very cold days, and Spire STL transportation services would be necessary if the planned peak demand occurs." In conclusion, Staff stated: "Staff's analysis of recent winter firm demand suggests that Spire Missouri can meet gas volume needs of a typical winter with current transportation capacity on pipelines other than Spire STL and its on-system

UGS. This does not obviate potential concerns for peak or high demand days. High-demand situations can occur, and should be planned for. Meeting them is a matter of gas flow rate as well as total volume. ... In light of these facts, providing Spire Missouri with access to some transportation capacity on Spire STL is warranted for winter 2021-2022 at least in order to provide for high-demand events that may occur.”

After receiving this report from its Staff, the Commission took action to urge the FERC to authorize the continued operation of the Spire STL pipeline through the upcoming winter season.

On November 18, 2021, Staff filed a motion asking the Commission to require Spire Missouri to take certain actions to better inform the public about the continued operation of the Spire STL Pipeline. Staff explained that the Board of Aldermen of the City of St. Louis has directed the Commission’s attention to various public announcements and communications made by Spire. The Board of Aldermen said:

As we approach the coldest months in the St. Louis region, an email sent on November 4th by Spire Missouri to St. Louis area customers was the very worst sort of fear-mongering, especially during a global pandemic that has hurt our most vulnerable neighbors’ ability to pay their utility bills. ... Despite Spire Missouri’s own public admission expecting the Federal Energy Regulatory Commission (FERC) to extend temporary certification of the Spire STL Pipeline ‘any day now’ to maintain natural gas service in our region through the winter months, it failed to inform the public of this vital information. Instead the email spoke of ‘potential disruptions – and outages’ to natural gas service and stated to customers in bold print that, ‘there are no guarantees it will operate beyond Dec. 13.’ Instead of giving St. Louis customers clear information that we will have reliable gas service through the winter, Spire Missouri told customers to be prepared to reduce their usage of natural gas in order to maintain service to the area. ... This email has spun our constituents and advocacy organizations into a panic that St. Louis could face the type of situation seen in Texas last year where homes were left without heat for days in freezing temperatures and residents died.

Staff expresses concern that the communications described by the Board of Aldermen

appear to reflect an attempt by Spire to mobilize public opinion, through fear, in order to potentially pressure federal authorities to act to temporarily or permanently extend the operating authority of the Spire STL Pipeline. Staff's cursory examination of Spire's website revealed a number of public communications posted there that indeed overstate the likelihood of the closure of the Spire STL Pipeline and resulting dangers to the public.

Staff asks the Commission to order Spire Missouri to take certain actions to ensure that the public is appropriately informed about the situation surrounding continued operation of the Spire STL Pipeline. The Commission will do so.

THE COMMISSION ORDERS THAT:

1. No later than December 8, 2021, Spire Missouri shall provide to Staff a copy of every communication to its customers and/or the public, by any means, since June 22, 2021 that refers to the Spire STL Pipeline.

2. Spire Missouri shall prepare a letter to each customer in its Spire East service area that explains the gas supply situation for the upcoming winter heating season as accurately as possible; how future real time communication will be made available, and suggested voluntary actions that customers may take to help to reduce gas consumption when temperatures fall. Spire Missouri shall submit drafts, including Public Service Announcements providing the same message to Staff for review and approval no later than 5:00 P.M. on November 19, 2021; all in order to allay public fears and concerns. Staff shall file a notice in this case no later than November 22, 2021 indicating whether Spire has complied and describing when the notification to customers will be done.

3. Staff shall file a recommendation to the Commission no later than January 4, 2022, indicating whether a complaint against Spire Missouri is warranted for false and misleading communications to its customers and the public; failure to ensure the availability of sufficient gas supplies for the upcoming winter heating season; and any other matter Staff's investigations might disclose;

4. Staff shall investigate and file a report in this case no later than January 21, 2022 regarding all of Spire's communications with its customers regarding the operation of Spire STL Pipeline since June 22, 2021.

5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 18th day of November, 2021.


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 18th day of November, 2021.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 18, 2021

File/Case No. GO-2022-0022

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

Sincerely,



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.