

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

In the Matter of the Request of Spire )  
Missouri, Inc. d/b/a Spire for a Permanent )  
Waiver from the Requirement to use a )  
“Device” for Overpressure Protection in 20 )  
CSR 4240-40.030(4), (12) and (13) for )  
Certain Spire East Facilities )  
)

**File No. GE-2023-0112**

**STAFF STATUS REPORT AND MOTION FOR EXTENSION**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”) and for its *Staff Status Report and Motion for Extension*, states as follows:

**Background**

1. On September 23, 2022, Spire Missouri Inc. d/b/a Spire (Spire Missouri), filed an application requesting a permanent waiver of compliance for certain Spire Missouri facilities from 20 CSR 4240-40.030(4)(CC), 20 CSR 4240-40.030(4)(EE)9., 20 CSR 4240-40.030 (4)(FF)3., 20 CSR 4240-40.030(12)(M)2., and 20 CSR 4240-40.030(13)(R)1.G. of the Commission’s pipeline safety standards.

2. Staff has filed a series of Status Reports and Motions for Extensions in which Staff has noted it was continuing discovery into this matter; continuing coordination with the Pipeline and Hazardous Materials Safety Administration (PHMSA) and asking additional data requests of Spire Missouri based on PHMSA’s inquires; requesting clarification from Spire Missouri on a number of issues; and working on its own analysis.

3. On April 3, 2023, the Commission issued an order granting Staff’s motion and directing Staff to file a Recommendation no later than May 26, 2023.

### **Legal Standard**

4. Commission rule 20 CSR 4240-40.030(18) allows the Commission to waive, in whole or part, compliance with any of the requirements contained in 20 CSR 4240-40.030, ***upon a showing that gas safety is not compromised.*** (***Emphasis added.***)

5. After coordinating with PHMSA and conducting its own analysis, Staff is unable to recommend approval of Spire Missouri's filed Application as Staff currently has not found that there is an appropriate showing that gas safety would not be compromised. Staff has further considered conditions that Staff could recommend that would appropriately meet the standard. Thus far, even with PHMSA coordination, Staff has been unable to come up with conditions that would provide a comparable level of safety as installation and use of the over-pressure protection devices required by the applicable Commission rules.

### **Request for Further Extension**

6. Staff has reached out to Spire Missouri regarding Staff's concerns with this Application. Spire Missouri is in the process of internally considering various options and will update Staff once those options have been considered.

7. Staff needs additional time to discuss with Spire Missouri possible options and continue discussions and coordination with PHMSA. Staff anticipates that it will be able to file its recommendation no later than July 28, 2023.

**WHEREFORE**, Staff respectfully requests the Commission accept and grant this *Staff Status Report and Motion for Extension* and permit Staff to file its recommendation

no later than July 28, 2023; and grant such other and further relief as the Commission considers reasonable in the circumstances.

Respectfully submitted,

**/s/ Jamie S. Myers**

Deputy Counsel

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Missouri Public Service Commission

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 24th day of May, 2023.

**/s/ Jamie S. Myers**