

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

In the Matter of the Application of Spire)
Missouri Inc. for a Certificate of Convenience)
and Necessity to Construct, Install, Own,)
Operate, Maintain, and Otherwise Control)
and Manage a Natural Gas Distribution)
System in and around the City of Oronogo)
In Jasper County, Missouri as an Expansion)
Of its Existing Certificated Areas)

File No. GA-2023-0038

**STAFF RECOMMENDATION FOR APPROVAL
OF CERTIFICATE OF CONVENIENCE AND NECESSITY**

COMES NOW the Staff of the Missouri Public Service Commission, (“Commission”) by and through counsel, and for its *Staff Recommendation for Approval of Certificate of Convenience and Necessity* (“Recommendation”), states as follows:

1. On August 5, 2022, Spire Missouri, Inc. (“Spire Missouri”) filed its *Application for Certificate of Convenience and Necessity and Request for Waiver* (“Application”) with the Commission, requesting a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system in order to provide natural gas service in and around the City of Oronogo, Missouri in Jasper County (“Oronogo”), as further expansion of its existing certificated area. The Application also included a request to waive the sixty (60) day notice requirement of Commission Rule 20 CSR 4240-4.017(1).

2. On August 8, 2022, the Commission issued its *Order Directing Notice, Setting Deadline for Intervention Requests, and Directing Filing of Staff Recommendation* directing Staff to file its recommendation regarding Spire Missouri’s Application no later than September 22, 2022.

3. On September 22, 2022, Staff filed its *Staff Status Report and Motion for Extension* in which Staff stated that it had submitted data requests to Spire Missouri and that Staff was in the process of reviewing the data request responses received from Spire Missouri. Staff also anticipated it would need to send follow up data requests. As such, Staff requested an extension of time to file its recommendation. Staff requested the Commission permit Staff to file its recommendation in this matter no later than December 20, 2022. The Commission granted Staff's request in an order issued on that same day.

4. Oronogo is located in the Spire West service territory and, according to Spire Missouri's Application, is a Fourth Class City with around 334 natural gas customers, 16 of those being commercial. Natural gas service is currently offered by the City of Oronogo. In its Application, Spire Missouri estimates the addition of approximately 350 residential customers and 5 commercial customers due to planned developments in the area. On November 2, 2021, the citizens of Oronogo approved the sale of the City of Oronogo's natural gas system to Spire Missouri. On July 11, 2022, the Board of Aldermen of Oronogo passed Ordinance No. 22-36, both confirming that the voters approved the sale and approving an Asset Purchase Agreement ("APA") setting the terms and conditions for the purchase of the natural gas system.

5. Staff has reviewed Spire Missouri's Application and conducted discovery. As more fully explained in Staff's Memorandum, attached hereto as Appendix A and incorporated by reference, Staff is of the opinion Spire West has fulfilled the requirements of Commission Rule 20 CSR 4240-3.205 and the Tartan criteria upon which the Commission relies in its evaluation of CCN applications. Staff recommends the

Commission approve Spire Missouri's Application, subject to the conditions stated in the Staff Recommendation Section on page 6 of Staff's Memorandum.

6. Spire Missouri's Application contained a request that the Commission waive the 60-day filing notice required by 20 CSR 4240-4.017(1). Spire Missouri's Application provided a verified declaration that it had not had communication with the office of the Commission (as defined by 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issues likely to be in the case, and therefore, Staff agrees good cause exists, pursuant to 20 CSR 4240.017(1)(D), to waive the 60-day notice requirement.

WHEREFORE, for the reasons stated above and further explained in Staff's Memorandum, Staff recommends the Commission approve Spire Missouri's Application for a CCN in the Jasper County service areas described in its Application, subject to the conditions set out in the Staff Recommendation Section of Staff's Memorandum; and grant such other and further relief as is appropriate under the circumstances.

Respectfully submitted,

/s/ Jamie S. Myers

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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 20th day of December, 2022.

/s/ Jamie S. Myers