

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

In the Matter of Laclede Gas Company and)	<u>File No. GN-2018-0032</u>
Missouri Gas Energy Changing Name to)	Tariff Nos. JG-2018-0012
Spire Missouri Inc. d/b/a Spire)	and JG-2018-0013

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission, pursuant to the Commission’s *Order Directing Staff to File a Recommendation* (“Order”) issued on July 31, 2017, and submits the attached Staff Recommendation Memorandum (which is incorporated herein by reference) and in support thereof states as follows:

1. On July 28, 2017, Laclede Gas Company (“Laclede”) and Laclede Gas Company d/b/a Missouri Gas Energy (“MGE”) (collectively the “Company”) filed for a name change to Spire Missouri Inc. d/b/a Spire.

2. Commission Rule 4 CSR 240-2.060(5) provides in relevant part as follows:

. . . a name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a nonattorney. Applications for approval of a change of a name shall include:

(A) A statement, clearly setting out both the old name and the new name;

(B) *Evidence of registration of the name change with the Missouri Secretary of State*; (emphasis added) and

(C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

3. The Commission's Tariff/Rate Design Energy Unit Staff has reviewed Laclede's and MGE's requests for name change and has determined that the requests were filed substantially in accordance with the above rule. Staff would point out that since the name change has *not* been officially filed with the Missouri Secretary of State, the *Company was unable to provide evidence of actual registration* of the name change or fictitious name registration at this time; however, the *Company did provide* evidence that the name has been *reserved* until September 3, 2017, with the Secretary of State. In addition, in its cover letter, the Company made the following representation:

the Certificate of Amendment reflecting the change in name of the corporation, as well as Spire's fictitious name registration are expected to be issued by the Missouri Secretary of State on August 30, 2017, which is the proposed effective date of the revised tariff sheets and adoption notices. . . . Copies of these documents will be filed with the Commission within five business days of their issuance by the Secretary of State. If, for any reason, it appears that there will be a material delay in the issuance of the Certificate of Amendment or fictitious name registration, Laclede will take steps to withdraw or extend the effective date of the Revised Tariff Sheets prior to the close of business on August 29, 2017.

4. Laclede and MGE both filed tariff sheets requesting approval of a formal adoption notice and title sheet. Staff has reviewed the tariff sheets filed on July 28, 2017, and is of the opinion that they were timely filed and are in substantial compliance with Rule 4 CSR 240-2.060(5) as discussed above. Staff has verified that Laclede and MGE have filed their annual report and are not delinquent on any assessment. Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheets to become effective on August 30, 2017, the requested effective date, subject to the Company's representation that it will withdraw, or extend the effective date of, the tariff sheets as set forth above:

P.S.C. MO. No. 5 Consolidated
Original Sheet No. .01
Original Sheet No. .02

P.S.C. MO. No. 6
Second Revised Sheet No. 1 Cancelling 1st Revised Sheet No. 1
First Revised Sheet No. 1a Cancelling Original Sheet No. 1a

WHEREFORE, Staff submits the attached Staff Recommendation Memorandum pursuant to the Commission's Order.

Respectfully submitted,

/s/ Jeffrey A. Keevil

Jeffrey A. Keevil
Missouri Bar No. 33825
Deputy Counsel
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-4887 (Telephone)
(573) 751-9285 (Fax)
Email: jeff.keevil@psc.mo.gov

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 16th day of August, 2017.

/s/ Jeffrey A. Keevil

MEMORANDUM

TO: Missouri Public Service Commission Official Case File,
Case No. GN-2018-0032, File No. JG-2018-0012 & JG-2018-0013
Laclede Gas Company and Missouri Gas Energy

FROM: Kim Cox, Tariff/Rate Design Unit, Operational Analysis Department

/s/ Robin Kliethermes / August 16, 2017 /s/ Jeff Keevil / August 16, 2017
Tariff/Rate Design Unit Manager/Date Staff Counsel's Office/Date

SUBJECT: Staff Recommendation on Laclede Gas Company and Missouri Gas Energy Application
for a Name Change to Spire Missouri Inc. d/b/a Spire

DATE: August 16, 2017

On July 28, 2017, Laclede Gas Company ("Laclede") and Laclede Gas Company d/b/a Missouri Gas Energy ("MGE") filed for a name change to Spire Missouri Inc. d/b/a Spire. On July 31, 2017, the Missouri Public Service Commission ("Commission") issued an Order Directing Staff to file a Recommendation.

The Missouri Public Service Commission's Tariff/Rate Design Energy Unit Staff ("Staff") has reviewed Laclede's and MGE's request for name change and has determined that the request was filed substantially in accordance with Commission Rule 4 CSR 240-2.060(5) which provides: a name change may be accomplished by filing the items below with a cover letter requesting a change of name. Notwithstanding any other provision of these rules, the items required herein may be filed by a nonattorney. Applications for approval of a change of a name shall include:

- (A) A statement, clearly setting out both the old name and the new name;
- (B) Evidence of registration of the name change with the Missouri Secretary of State; and
- (C) Either an adoption notice and revised tariff title sheet with an effective date which is not fewer than thirty (30) days after the filing date of the application, or revised tariff sheets with an effective date which is not fewer than thirty (30) days after the filing date of the application.

Staff would point out that since the name change has not been officially filed with the Missouri Secretary of State, Laclede was unable to provide evidence of actual registration of the name change at this time; however, Laclede did provide evidence that the name has been reserved until September 3, 2017, with the Secretary of State. In addition, in its cover letter, Laclede made the following representation:

the Certificate of Amendment reflecting the change in name of the corporation, as well as Spire's fictitious name registration are expected to be issued by the Missouri Secretary of State on August 30, 2017, which is the proposed effective date of the revised tariff sheets

and adoption notices. . . . Copies of these documents will be filed with the Commission within five business days of their issuance by the Secretary of State. If, for any reason, it appears that there will be a material delay in the issuance of the Certificate of Amendment or fictitious name registration, Laclede will take steps to withdraw or extend the effective date of the Revised Tariff Sheets prior to the close of business on August 29, 2017.

Laclede and MGE both filed two tariff sheets requesting approval of a formal adoption notice and title sheet. Staff has reviewed the tariff sheets filed on July 28, 2017, and is of the opinion that they were timely filed and are in substantial compliance with Rule 4 CSR 240-2.060(5) as discussed above. Staff therefore recommends that the Commission issue an order approving the following proposed tariff sheets to become effective on August 30, 2017, the requested effective date, subject to Laclede's representation it will withdraw, or extend the effective date of, the tariff sheets as set forth above:

P.S.C. MO. No. 5 Consolidated

Original Sheet No. .01
Original Sheet No. .02

P.S.C. MO. No. 6

Second Revised Sheet No. 1 Cancelling 1st Revised Sheet No. 1
First Revised Sheet No. 1a Cancelling Original Sheet No. 1a

Staff has verified that Laclede and MGE have filed their annual report and are not delinquent on any assessment.

