

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 26th day of October, 2022.

In the Matter of Spire Missouri, Inc. d/b/a)
Spire's Request for Authority to Implement)
a General Rate Increase for Natural Gas)
Service Provided in the Company's)
Missouri Service Areas)

File No. GR-2022-0179

**ORDER DENYING THE UNIVERSITY OF MISSOURI'S
APPLICATION TO INTERVENE OUT OF TIME**

Issue Date: October 26, 2022

Effective Date: October 26, 2022

Spire Missouri Inc. d/b/a Spire submitted tariff sheets on April 1, 2022, to initiate a general rate case. The Commission established a deadline of April 25, 2022, for applications to intervene in this matter.

On October 12, 2022, the University of Missouri (MU) filed an application to intervene out of time. MU operates four campuses in Missouri, two of which are served by Spire. MU states that because notice of this case was not received by the employees responsible for monitoring proceedings before the Commission, it did not become aware that this case would impact it until September 26, 2022. MU indicates that the proposed tariff revisions will increase its costs and impede its ability to provide services.

Intervention out of time may be granted upon a showing of good cause, as provided by Commission Rule 20 CSR 4240-2.075(10). The rule requires those who seek intervention after the intervention date to provide a "definitive statement" whether the entity seeking intervention "accepts the record established in the case" as of the date of

application. MU's application states it accepts the record in this case as it stands, but opposes Spire's proposed tariff revisions.

On October 24, 2022, Spire filed an objection to allowing MU to intervene in this case. Spire notes that this case has been well publicized in the media and MU is a sophisticated party capable of ascertaining when a case will impact the university. Eleven other parties intervened prior to direct testimony and both direct and rebuttal testimony have been filed.¹ Spire states that, at this point in the case, the parties have based their positions on "significant discovery, testimony, technical and settlement conferences that have occurred in the case to date." Spire also expresses concern that MU will, at this late time, seek to interject new issues into this proceeding.

On October 25, 2022, MU responded to Spire's objection stating that as a state university its interests can only be represented by allowing its intervention. MU states that it takes service under multiple Spire tariffs including residential, small general service, large general service, transportation service, and large volume transportation service. MU asserts that it is a custodian of public funds with a fiduciary responsibility to the taxpayers of the State of Missouri and to its students to ensure its expenditures are just and reasonable. MU further affirms that it will limit its participation to the record as currently developed.

The Commission agrees with Spire that at this late stage allowing MU to intervene does not serve the public interest. MU is a sophisticated party and is responsible for seeing that notice of cases before the Commission reach the "correct employee" in a timely manner. Both direct and rebuttal testimony have been filed. The Commission finds

¹ Surrebuttal testimony is due November 4, 2022.

that allowing MU to intervene at this late stage unfairly prejudices the parties and intervenors who have already filed testimony advancing their positions and have responded to testimony based upon other party positions. Allowing MU to intervene risks interjecting new issues that are not supported in testimony. The Commission will deny MU's application to intervene.

THE COMMISSION ORDERS THAT:

1. MU's application to intervene is denied.
2. 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

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Clark, Senior 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 26th day of October, 2022.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 26, 2022

File/Case No. GR-2022-0179

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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 style with a large initial "M".

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.