

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

**In the Matter of Spire Missouri Inc.’s d/b/a )  
Spire Request for Authority to Implement a ) File No. GR-2022-0179  
General Rate Increase for Natural Gas )  
Service Provided in the Company’s )  
Missouri Service Areas )**

**APPLICATION TO INTERVENE OF VICINITY ENERGY KANSAS CITY, INC.**

Comes Now Vicinity Energy Kansas City, Inc. (“Vicinity”), and pursuant to 20 CSR 4240-2.075, files its Application to Intervene in the above referenced matter. In support of its Application, Vicinity states as follows:

1. Vicinity is a “Heating Company” and a “Public Utility” as those terms are defined in Sections 386.020(20) and 386.020(43). Vicinity is also the largest transportation customer on the Spire Missouri, Inc. (“Spire”) system. Moreover, to a certain extent and under certain circumstances, Spire’s services and Vicinity’s services are substitutable, which makes Spire not only Vicinity’s service provider, but also a competitor. As such, Vicinity will be uniquely affected by the rate changes proposed in this case.

2. Spire filed its tariffs, testimony and Minimum Filing Requirements requesting a general rate increase on April 1, 2022. The Commission issued its “Order Giving Notice, Setting a Deadline to Intervene, Setting a Deadline to Respond to the Test Year, Setting a Deadline to Respond to Spire's Tariff Suspension Request, and Directing a Proposed Schedule” on April 4. That order set an intervention deadline of April 25.

3. 20 CSR 4240-2.075(3) generally sets forth the standards that the Commission will use when deciding to grant an application to intervene:

- (3) The commission may grant a motion to intervene or add new member(s) if—
  - (A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order

arising from the case; or  
(B) Granting the proposed intervention would serve the public interest.

Although the rule sets forth two criteria, and meeting either one is sufficient to grant intervention, Vicinity's proposed intervention meets both. Vicinity is one of a very small number of Spire's customers that is itself a public utility regulated by this Commission and serving customers under this Commission's protection. Vicinity competes with Spire for space heating and industrial process customers. Vicinity is also a very large transportation customer. Thus, Vicinity meets the criteria in 20 CSR 4240-2.075(3)(A). It also meets the criteria in 20 CSR 4240-2.075(3)(B). As a regulated public utility itself, Vicinity seeks intervention not only to protect its own interests, but the interests of its customers. Protecting the interests of these customers clearly would serve the public interest.

4. Pursuant to 20 CSR 4240-2.075(2)(E), Vicinity states that its interests in the case and reasons for seeking intervention are as set forth above. Pursuant to 20 CSR 4240-2.075(2)(F), Vicinity states that it does not yet know the positions it will take on issues in the case, and reserves the right to take positions on issues as the case proceeds.

**WHEREFORE**, Vicinity Energy Kansas City, Inc. requests that it be granted intervention and be made a party to this case with all of the rights and obligations attendant thereto.

Respectfully submitted,

BRYAN CAVE LEIGHTON PAISNER, LLP

By: /s/ Lewis Mills  
Lewis R. Mills, #35275  
221 Bolivar Street, Suite 101  
Jefferson City, MO 65101  
Telephone: (573) 556-6627  
Facsimile: (573) 556-7447  
E-mail: lewis.mills@bcplaw.com

**ATTORNEY FOR VICINITY ENERGY KANSAS CITY, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 7th day of April 2021.