

In the Matter of:

VEARLINE NELSON

v.

SPIRE MISSOURI, INC. d/b/a SPIRE

GC-2021-0135, VOL. I

April 08, 2021



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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

April 8, 2021

Via WebEx Conference

Volume 1, Page 1

Vearline Nelson,)	
)	
Complainant,)	File No. GC-2021-0135
)	
Spire Missouri, Inc.)	
d/b/a Spire.)	
)	
Respondent)	

John Clark, Presiding
REGULATORY LAW JUDGE

REPORTED BY:
Susan D. Schroeter, CCR
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

ALL PARTIES ATTENDED VIA WEBEX CONFERENCE

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For: Spire

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FOR: Staff of Missouri Public Service Commission

1 JUDGE CLARK: Okay. It is 3:05. Why don't
2 we go ahead and go on the record. Good afternoon.
3 Today's date is April 8th, 2021, and it is currently
4 3:05 p.m. The Commission has assigned this time for a
5 prehearing conference in the case captioned as Vearline
6 Nelson, Complainant, versus Spire Missouri, Inc., d/b/a
7 Spire, Respondent. This is file number GC-2021-0135.
8 My name is John Clark. I am the regulatory law judge in
9 this matter, and I am going to begin by asking the
10 attorneys for the parties that are present to enter
11 their appearance for the record. I am going to note for
12 the record that the Complainant in this case, Vearline
13 Nelson, does not appear. If she joins the Prehearing
14 Conference at any point, I will announce her appearance
15 then, and I will start with Commission Staff. Who is
16 appearing on behalf of Commission Staff?

17 MS. MYERS: Good afternoon, Judge. My name
18 is Jamie Myers on behalf of the staff of the Missouri
19 Public Service Commission.

20 JUDGE CLARK: And for Spire Missouri?

21 MS. NIEMEIER: Good afternoon, Judge. This
22 is Rachel Niemeier on behalf of Spire Missouri, Inc.
23 Our office address is 700 Market Street, St. Louis,
24 Missouri 63101.

25 JUDGE CLARK: Thank you. Are there any

1 preliminary matters that need to be taken up at this
2 time?

3 MS. NIEMEIER: Not from Spire's perspective.

4 JUDGE CLARK: Anything from staff?

5 MS. MYERS: Nothing from staff.

6 JUDGE CLARK: Okay. A complaint and answer
7 and a staff report have been filed. The procedural
8 schedule was approved. However, it is my understanding
9 that the Complainant in this case, Ms. Nelson, was
10 unable to -- that neither staff's counsel nor Spire were
11 able to get her to respond after multiple attempts to
12 get ahold of her. I had sent Ms. Nelson a letter
13 informing her how to participate in today's hearing, or
14 Prehearing Conference. Now, the Commission scheduled
15 this Prehearing Conference to ascertain that Ms. Nelson
16 is able and wants to participate in the evidentiary
17 hearing via telephone. I believe the Commission's rule
18 states that the hearing, essentially absent her waiver,
19 is to be conducted within 30 miles of where service was
20 rendered. Now, while we are on the record, and we are
21 discussing the case, I want to keep it purely procedural
22 because I don't want to have to fill out any ex parte
23 paperwork, but I do have some concerns given Ms.
24 Nelson's age and given nobody has been able to get ahold
25 of her, and given that she is not at this hearing,

1 normally I would follow up a failure to appear with an
2 order directing the Complainant to file good cause why
3 the case should not be dismissed. I don't want to do
4 that in this case because it is her complaint, and I
5 want to give her every opportunity to participate. So,
6 I am kind of open to ideas at this point, but what I am
7 thinking of doing, while I don't generally like to do
8 this, I have had to do this on several occasions, is to
9 try and contact Ms. Nelson directly, not to discuss
10 anything substantive with the case, but to try and
11 figure out a way procedurally that she can participate,
12 and then reschedule another Prehearing Conference. I
13 imagine since the last day of discovery in this case is
14 April 23rd, and I know it is coming up pretty quick, I
15 would suspect right now that I am going to suspend the
16 procedural schedule until I can figure out whether or
17 not Ms. Nelson is able to and wants to participate in
18 this hearing in any form of electronic means, or whether
19 I need to do something to bring the hearing close to
20 her, or whether she no longer wishes to participate at
21 all, but that is kind of where I am thinking. Are there
22 any objections to me contacting Ms. Nelson directly
23 purely to discuss procedurally how she participates?
24 (No audible response given.) I hear no objections.
25 With that in mind, are there any other matters or other

1 issues that need to be addressed to the Commission at
2 this time? Spire?

3 MS. NIEMEIER: No.

4 JUDGE CLARK: Staff counsel?

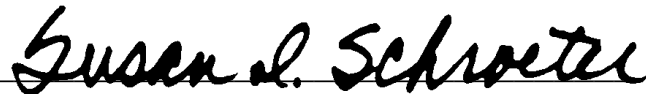
5 MS. MYERS: No, not from staff.

6 JUDGE CLARK: Well, I know there were some
7 other people hear from staff today that had addressed
8 various consumer and technical matters and safety
9 matters, and I appreciate everybody taking the time
10 today to show up at this Prehearing Conference, but as I
11 said, admittedly, I scheduled thinking more likely than
12 not the Complainant might not appear, and so what I will
13 try and do is issue the Order Suspending the Procedural
14 Schedule probably tomorrow or early next week, depending
15 on whether or not I am able to get ahold of Ms. Nelson.
16 With that in mind, I will adjourn this prehearing, and
17 we will go off the record.

18 (Thereupon, the Prehearing Conference was adjourned
19 at 3:11 p.m.)
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C E R T I F I C A T E

I, Susan D. Schroeter, a Certified Court Reporter, CCR No. 1236, within and for the State of Missouri, do hereby certify that the foregoing Prehearing Conference was taken by me to the best of my ability via WebEx, and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this Conference was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Susan D. Schroeter, CCR No. 1236

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