

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

In the Matter of the Application of )  
Spire Missouri Inc. d/b/a Spire to )  
Change its Infrastructure System ) Case No. GO-2021-0030  
Replacement Surcharge in its Spire )  
Missouri East Service Territory )

**RESPONSE TO STAFF RECOMMENDATION**

**COMES NOW** the Office of the Public Counsel (“OPC”) and for its *Response to Staff Recommendation*, states as follows:

1. The Staff of the Missouri Public Service Commission (“Staff”) filed its recommendation in the above styled case on October 2, 2020.

2. Staff’s recommendation states that “[b]ased on Staff’s analysis of the information Spire Missouri provided to date, Staff cannot conclude that the cast iron, bare steel, copper, and plastic pipe Spire Missouri East replaced was in a worn out or deteriorated condition[,]” and, as a result, “Staff recommends that the Commission disallow recovery of these costs.” However, the recommendation also went on to state that Spire should be permitted to “recover costs associated with projects required by civic improvements, angle of repose situations, blanket work orders, service transfers, and header mains.”

3. Having reviewed the evidence provided in Spire’s initial application, the OPC agrees with Staff’s recommendation in this regard and asks the Commission to approve Staff’s initial recommendation that Spire Missouri receive incremental pre-

tax ISRS revenues for this case of \$3,456,165, with a total current and cumulative ISRS surcharge of \$22,289,633.

4. The OPC will also continue to review the evidence that Spire has presented or may present regarding the condition of the pipes it replaced and seeks recovery for in this ISRS case and will further pursue settlement negotiations with the Company.

5. In addition, the OPC notes that a customer has brought to its attention a potential issue regarding the one-time bill credits from the previously determined remand cases and their interaction with local sales taxes.

6. This bill-credit/sales tax issue may have resulted in customers being charged a larger than necessary amount of sales tax in the affected areas. It is unclear whether that potential over-tax, if it occurred, benefited the Company or the local taxing authority.

7. The OPC is continuing to investigate this issue.

WHEREFORE, the Office of the Public Counsel respectfully requests the Commission accept this *Response to Staff Recommendation*.

Respectfully submitted,

By:           /s/ John Clizer            
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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this thirteenth day of October, 2020.

          /s/ John Clizer