

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

In the Matter of Spire Missouri Inc. d/b/a Spire)
Missouri West Concerning a Natural Gas Pipeline)
Incident Along Highway 169 in Kansas City, Missouri)

File No. GS-2021-0019

STAFF RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission, through counsel, and for its *Staff Response* states:

Background

1. On June 30, 2021, Staff filed in this matter a Gas Incident Report describing a July 1, 2020 incident in which a 12-inch gas main owned by Spire Missouri West (“Spire”) was damaged by an excavating company. Prior to the incident, on May 28, 2020, an employee of the excavating company notified the Missouri One Call System that it planned to excavate in an area that included the grass median and west shoulder of the northbound lanes of U.S. Route 169 south of Northwest Barry Road in Kansas City, Missouri, on June 3, 2020. On June 1, 2020 an employee of a contract locator company working for Spire responded by stating “Clear/No Conflict,” indicating that Spire had no facilities in the area to be excavated.

2. Spire filed in this matter its response to Staff’s Gas Incident Report on September 13, 2021.

3. Staff reviewed Spire’s response, and on September 28, 2021, as a follow up to the investigation Staff conducted in this matter (File No. GS-2021-0019) Staff filed a complaint against Spire (see File No. GC-2022-0087).

4. On October 8, 2021, the Commission issued an order in this case file, directing Staff to respond to the following:

Staff shall respond to Spire's request for modification of the proposed action plan and shall comment on the confidential nature of information contained in Spire's response to Staff's Report no later than October 22, 2021.

Staff's responses to this order are below.

Staff's Response to Spire's Request for Modification of the Proposed Action Plan

5. Importantly, Staff filed a subsequent complaint (see File No. GC-2022-0087) against Spire as a follow up to the investigation Staff conducted in this matter. In Staff's complaint, Staff again stated the same recommendations that were included in its Gas Incident Report filed in this matter on June 30, 2021. After reviewing Spire's response filed on September 13, 2021, Staff intentionally did not modify any of its recommendations regarding the alleged violations relating to this incident. In short, at this time Staff does not agree with any of the modifications, or deviations, Spire stated in its response filed on September 13, 2021.

6. While there is currently a disagreement in the recommendations contained in Staff's Gas Incident Report filed in this matter on June 30, 2021, Spire's response filed in this matter on September 13, 2021, and Staff's complaint filed on September 28, 2021 in File No. GC-2022-0087, Staff and Spire are engaging in ongoing discussions in the complaint case (File No. GC-2022-0087) that are aimed at resolving that disagreement.

Staff's Comment on the Confidential Nature of Information Contained in Spire's response to Staff's Report

7. Counsel for Staff conferred with Spire's counsel regarding information Spire included in its public response filed on September 13, 2021 that Spire treated as public and which Staff had previously treated as confidential in its Gas Safety Incident Report

filed on June 30, 2021. Spire's counsel stated to Staff's counsel that Spire considers said information public.

WHEREFORE, Staff submits its *Staff Response* consistent with the Commission order issued on October 8, 2021.

Respectfully submitted,

/s/ Jamie S. Myers

Jamie S. Myers
Deputy Counsel
Missouri Bar No. 68291
Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-526-6036 (Voice)
573-751-9285 (Fax)
jamie.myers@psc.mo.gov

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served via e-mail on counsel for the parties of record to this case on this 22nd day of October, 2021.

/s/ Jamie S. Myers