

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

In the Matter of an Investigation into Spire)
Missouri Inc. d/b/a Spire’s Compliance with) **File No. GS-2022-0261**
The Commission’s Rules Regarding Natural)
Gas Safety Found at 20 CSR 4240-40.030)
)

PROGRESS REPORT

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, in response to the Commission’s April 6, 2022 *Order Opening an Investigation*, and for its Progress Report states:

1. On March 29, 2022, Staff filed a motion requesting that the Commission open a case to investigate Spire Missouri’s compliance with the Commission’s rules regarding the Commission’s gas safety rules, specifically related to the timeliness of Spire Missouri’s efforts to locate and mark its natural gas pipelines to prevent damage to those pipelines by excavators.

2. On April 6, 2022, the Commission granted Staff’s motion and ordered Staff to file a progress report regarding its investigation no later than October 6, 2022.

3. On October 5, 2022, Staff filed a progress report stating that it was continuing to conduct discovery in this matter.

3.. On October 12, 2022, the Commission ordered Staff to file either a final report, or a further progress report regarding its investigation, no later than January 11, 2023.

4. Staff reviewed and discussed the current on-time performance for locating Spire Missouri’s facilities with Spire personnel in the Spire Missouri West service area during a routine safety inspection conducted at Spire Missouri’s office in Lee’s Summit

on November 14-17, 2022. The locating timeliness continued to be at the decreased level that existed when Staff opened this case, and Staff again requested that Spire Missouri West take actions to improve the locate timeliness.

5. Staff has received and reviewed a) Spire Missouri's expectations and challenges related to compliance with Section 319.030, RSMo.; b) Measures Spire has taken to evaluate and address risks associated with excavation damages; c) Spire Missouri's oversight and audits of individuals tasked with locating Spire Missouri's underground facilities; and d) Staffing levels for individuals assigned to locate and mark Spire Missouri's underground facilities.

6. Staff has received and is reviewing Spire Missouri's responses to Staff data requests (DRs) pertaining to a.) Spire Missouri's contract documents with parties it contracts with to locate its underground facilities; b.) Spire Missouri's procedures related to preventing and determining causes of excavation damages; c.) Training and qualification of individuals assigned to locate and mark Spire Missouri's underground facilities; and d.) Current and historical data regarding Spire Missouri's timeliness of locating and marking its facilities. Staff anticipates that following analysis of Spire Missouri's responses, further discovery may be required.

7. Staff has submitted follow-up data requests (DRs) to Spire Missouri seeking to clarify responses provided related to Spire Missouri's oversight and audits of individuals tasked with locating Spire Missouri's underground facilities. Staff anticipates that following analysis of Spire Missouri's responses, further discovery may be required.

8. Staff requires additional time to complete its investigation and finalize its investigation report. Staff will use this time to submit additional DRs,

review Spire Missouri's responses, review survey responses from other state programs, draft its report, submit its report to internal review, and receive and review Spire Missouri's identification of confidential information and feedback on the report's facts section. Staff requests a due date of no later than April 11, 2023, to file a report on the progress of Staff's investigation.

WHEREFORE, for the above-stated reasons, Staff requests that the Commission order Staff to file a report regarding its investigation, or a report on the investigation's progress, no later than April 11, 2023.

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 hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to Spire Missouri, Inc., and The Office of the Public Counsel on this 10th day of January, 2023.

/s/ Jamie S. Myers