

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 30th day of December, 2020

In the Matter of Spire Missouri Inc.'s d/b/a)	
Spire Request for Authority to Implement a)	<u>File No. GR-2021-0108</u>
General Rate Increase for Natural Gas)	Tracking No. YG-2021-0133
Service Provided in the Company's)	
Missouri Service Areas)	

ORDER SUSPENDING TARIFF, GIVING NOTICE OF CONTESTED CASE STATUS, DELEGATING AUTHORITY, AND SCHEDULING AN EVIDENTIARY HEARING

Issue Date: December 30, 2020

Effective Date: December 30, 2020

The Commission is suspending the submitted tariff sheets of Spire Missouri Inc. d/b/a Spire, giving notice of a contested case, delegating authority, and scheduling the evidentiary hearing. Spire submitted tariff sheets on December 11, 2020, to produce a net increase in its base distribution rates of approximately \$65 million. Spire is also requesting rebasing of approximately \$47 million of Infrastructure System Replacement Surcharge which is already being recovered in rates. Spire proposes a test year of the twelve months ending September 30, 2020, and further proposes the test year be trued-up through May 31, 2021. The proposed tariff sheets have an effective date of January 10, 2021.

A. Suspension of Tariff

Section 393.150 RSMo (2016), authorizes the Commission to suspend the effective date of proposed tariff sheets for 120 days, plus an additional six months to allow for a hearing. To provide sufficient time to determine if Spire's proposed tariff sheets are

just and reasonable,¹ the Commission will suspend the tariff sheets for 120 days beyond the effective date. The Commission's experience demonstrates that a full hearing cannot be concluded within 120 days, so the Commission will suspend the tariff sheets for an additional six months.²

B. Notice of Contested Case

Suspension of the tariff may occur only pending a "full" hearing and decision on the tariff's propriety.³ The provision for a full pre-decision hearing signifies that this action is now a "contested case."⁴ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,⁵ including by stipulation and agreement.⁶ This order and notice does not require any party to file an answer. The Commission's discovery regulations may be found at 20 CSR 4240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁷ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order when setting a full procedural schedule.

¹ Section 393.140(5) RSMo. Unless otherwise noted, all statutory references are to the Revised Statutes of Missouri as codified in 2016.

² Section 393.150.2 RSMo.

³ Section 393.150.1 RSMo.

⁴ Section 536.010(4) RSMo.

⁵ Section 536.060 RSMo.

⁶ 20 CSR 4240-2.115.

⁷ Section 386.240 RSMo.

THE COMMISSION ORDERS THAT:

1. The proposed tariff sheets, filed under Tracking No. YG-2021-0133, by Spire, are suspended for 120 days plus six months, until November 10, 2021.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. The evidentiary hearing is scheduled for July 12 through 16, and July 22 through 30, 2021, excluding Saturday and Sunday. The evidentiary hearing may be interrupted on July 15, 16, and 22 due to Commission scheduling conflicts.
4. Each conference and hearing shall be held via WebEx teleconference. If any person needs an accommodation to participate in any conference or hearing, please call the Missouri Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.
5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Hatcher, Regulatory Law Judge