

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 3<sup>rd</sup> day of February, 2021.

In the Matter of Spire Missouri Inc.'s d/b/a )  
Spire Request for Authority to Implement a )  
General Rate Increase for Natural Gas )  
Service Provided in the Company's )  
Missouri Service Areas )

**File No. GR-2021-0108**  
Tracking No. YG-2021-0133

**ORDER SETTING PROCEDURAL SCHEDULE**

Issue Date: February 3, 2021

Effective Date: February 3, 2021

On December 11, 2020, Spire Missouri Inc. d/b/a Spire submitted tariff sheets 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 also seeks, to the extent possible, to consolidate the rate structures of its two service areas known as Spire East and Spire West. The Commission has set the test year to be the twelve months ending September 30, 2020, and further ordered the test year be trued-up through May 31, 2021. Spire's submitted tariff sheets have been suspended until November 10, 2021.

The Commission set dates of an evidentiary hearing for July 12–30, 2021. The Commission separately directed the parties to produce a proposed procedural schedule. On January 26, 2021, the Staff of the Missouri Public Service Commission (Staff) submitted a proposed procedural schedule on behalf of all parties, with two alternative schedules. One schedule abides by the Commission's preliminary hearing dates, and one

schedule delays the Commission’s preliminary hearing dates by two weeks (but only delays briefs by one week). The plan with the two week delay in hearing dates is the preferred schedule of the parties as it will optimize opportunities for settlement of issues. The Commission can accommodate the unanimous request and will adopt the parties’ unanimous proposed procedural schedule with a two week delay as petitioned.

Due to the COVID-19 pandemic all hearings will be conducted by telephone and internet conference call via WebEx with participation details to be emailed to counsel. The Commission will address the scheduling of local public hearings, to also be held by telephone and internet conference call, in a subsequent order.

**THE COMMISSION ORDERS THAT:**

1. The following procedural schedule is established:

- |   |   |                         |
|---|---|-------------------------|
| <b>Discovery Conference</b>   | - | <b>March 1, 2021</b>    |
| <b>Discovery Conference</b>   | - | <b>April 5, 2021</b>    |
| <b>Direct</b> (Revenue Requirement)<br>(all parties except Spire)   | - | <b>May 12, 2021</b>     |
| <b>Discovery Conference</b>   | - | <b>May 17, 2021</b>     |
| <b>Direct</b> (Class Cost Of Service)<br>(all parties except Spire) | - | <b>May 26, 2021</b>     |
| <b>Technical/Settlement Conference</b>                              | - | <b>June 8-9, 2021</b>   |
| <b>Rebuttal Testimony</b><br>(Revenue Requirement)                  | - | <b>June 17, 2021</b>    |
| <b>Rebuttal Testimony</b><br>(Class Cost Of Service)                | - | <b>June 17, 2021</b>    |
| <b>Discovery Conference</b>   | - | <b>June 21, 2021</b>    |
| <b>Local Public Hearings</b>  | - | <b>June 21-25, 2021</b> |

<b>Spire Provides True-up Information</b>	-	<b>July 2, 2021</b>
<b>Technical/Settlement Conference</b>	-	<b>July 6-7, 2021</b>
<b>Surrebuttal Testimony</b> (Revenue Requirement and Class Cost Of Service)	-	<b>July 14, 2021</b>
<b>List of Issues, Position Statements, Order of Hearing, Joint Stipulation of Facts</b>	-	<b>July 16, 2021</b>
<b>Discovery Cutoff</b>	-	<b>July 21, 2021</b>
<b>Reconciliation Filed</b>	-	<b>July 22, 2021</b>
<b>Evidentiary Hearing</b>	-	<b>July 26 – August 6, 2021</b>
<b>True-up Direct</b>	-	<b>August 6, 2021</b>
<b>True-up Rebuttal</b>	-	<b>August 16, 2021</b>
<b>True-up Discovery Cutoff</b>	-	<b>August 17, 2021</b>
<b>True-up Hearing</b>	-	<b>August 23, 2021</b>
<b>Initial Post-Hearing Briefs</b>	-	<b>September 7, 2021</b>
<b>Reply Briefs</b>	-	<b>September 17, 2021</b>

2. The parties shall comply with the following regarding response time for data requests:

a) Until non-company direct testimony is filed, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information.

b) After non-company direct testimony is filed and until rebuttal testimony is filed, the response time for data requests shall be ten (10) business days to provide the requested information, and five (5) business days to object or notify the requesting party that more than ten (10) business days will be needed to provide the requested information.

c) After rebuttal testimony is filed, the response time for data requests shall be seven (7) business days to provide the requested information and four (4) business days to object or notify the requesting party that more than seven (7) business days will be needed to provide the requested information.

d) The parties have seven calendar days after surrebuttal testimony is filed to request discovery. The response time for data requests shall be five (5) business days to provide the requested information, and three (3) business days to object or notify the requesting party that more than five (5) business days will be needed to provide the requested information. Parties will strive to limit data requests submitted during this seven day time period to information pertaining to matters raised for the first time in another party's surrebuttal testimony.

3. The parties shall comply with the following regarding discovery:

a) Discovery conferences will be held by WebEx (or similar virtual meeting platform) or at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City, Missouri, in a room to be designated by the Commission. Each discovery conference will begin at 10:00 a.m.

b) Not less than two (2) business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.

c) Discovery conferences shall be on the record and shall be transcribed by a court reporter.

d) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

e) Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

f) If the parties do not identify any discovery disagreements or concerns as described in the above paragraph b, the time allotted for the discovery conference may be used for informal, off-the-record technical

conferences as arranged in advance. Each party shall make a good faith effort to notify all parties in advance of the technical conference and of the anticipated topics/issues to be discussed.

g) All data requests, subpoenas, or other discovery requests shall be issued no later than July 21, 2021, except that discovery requests regarding true-up issues shall be issued not later than August 17, 2021. With respect to deposing a witness, depositions must be completed at least three (3) business days prior to the date that the witness will testify on the issue(s) in the evidentiary hearings, unless witness availability requires that a deposition be conducted within less than three days.

h) All motions to compel a response to any discovery request submitted by July 21, 2021, or before shall be filed no later than July 28, 2021. Regarding true-up discovery submitted by the true-up discovery cut-off date, motions to compel shall be filed no later than August 24, 2021.

i) The Parties shall make an effort to not include confidential information in data request questions, and the Parties shall make an effort not to over-designate information as confidential. If confidential information must be included in a data request question, the confidential information should be appropriately designated as such. Responsibility to make this designation is upon the party claiming such. Other parties are entitled to rely on the presence or absence of such designation.

j) Any data requests between Staff and Spire shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS) unless otherwise agreed upon consistent with Commission rules. All data requests other than those issued between Staff and Spire, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the parties to the request. Counsel may designate other counsel to be added to the certified service list and shall assume responsibility for compliance with any restrictions on confidentiality. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than responses to data requests issued between Staff and Spire, will be served on counsel for the requesting party and shall be served electronically, if feasible and not voluminous as defined by Commission rule. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request in writing a copy of the responses from the party answering the data request; thereby providing the responding party the opportunity to object. If a data request has been responded to, a party's request for a copy of the response shall timely be responded to, considering that the underlying data request has already been responded to.

4. The parties shall comply with the following regarding general procedural requirements:

(a) Testimony shall be prefiled as defined in Commission Rule 20 CSR 4240-2.130, including the requirement that testimony be filed on line-numbered pages.

(b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

(c) Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under the law with citations to any pre-filed testimony in support.

(d) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(e) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide an emailed copy of the testimony or document to [exhibits@psc.mo.gov](mailto:exhibits@psc.mo.gov). If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall email it to the presiding officer, and counsel for each other party, prior to the hearing if possible.

(f) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

g) Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via email. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

h) Unless included as part of a party's prefiled testimony or submitted as an exhibit at hearing, workpapers prepared in the course of developing a testimony need not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

i) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

j) Exhibit numbers are assigned in the following manner:

Spire	1-99
Staff	100-199
Office of the Public Counsel	200-299
Renew Missouri	300-399
National Housing Trust	400-499
Missouri Industrial Energy Consumers	500-599
Legal Services of Eastern Missouri	600-699
Consumers Council of Missouri	700-799

If any party requires additional exhibit numbers, it may add 1000 to its assigned numbers. For example, if Staff has exhibits in addition to exhibit number 199, its next exhibit numbers would be 1100, 1101, 1102, etc.

k) Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and to the regulatory law judge as set out above. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

5. The Commission shall hold an evidentiary hearing beginning on July 26, 2021, at 10:00 a.m.

6. Participants shall appear at the evidentiary hearing telephonically via WebEx conference call. As the hearing will be live-streamed, the Commission requests interested persons who will not be actively participating in the hearing to watch or listen via the live-stream. The link and access code to participate in the hearing via WebEx conference call will be emailed to all parties. Anyone needing accommodations to participate should call the Public Service Commission's Hotline at 1.800.392.4211 (voice) or Relay Missouri at 711 before the evidentiary hearing. As the impact of COVID-19 in July 2021 is unknown at the time this Order is issued, an in-person hearing may be arranged closer to the hearing upon request of the parties or by the Commission on its own motion.

7. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

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

Hatcher, Regulatory Law Judge