

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

In the Matter of the Application of Spire Missouri)
Inc. for a Variance of its Tariff Rules and) Case No. GE-2023-xxxx
Regulations for Resale of Natural Gas)

**VERIFIED APPLICATION FOR VARIANCE OF SPIRE MISSOURI INC.'S TARIFF
RULES AND REGULATIONS AND FOR WAIVER FROM 60-DAY NOTICE RULE**

COMES NOW Spire Missouri Inc. (“Spire Missouri” or “Company”), by and through its counsel, and pursuant to Commission Rules 20 CSR 4240-2.060(1) and (4), 20 CSR 4240-2.080, and 20 CSR 4240-2.205 and submits this Verified Application (“Application”) to the Missouri Public Service Commission (“Commission”) for a variance of its Rules and Regulations, specifically Sheet No. R-8, 8. Resale (“Resale Provision”), applicable to the resale of natural gas. Pursuant to Commission Rule 20 CSR 4240-4.017(1)(D), the Company also requests a waiver from the notice provisions of Rule 20 CSR 4240-4.017(1). In support of this Application and request for a waiver, Spire Missouri respectfully states as follows:

1. Spire Missouri is a public utility and gas corporation incorporated under the laws of the State of Missouri, with its principal office located at 700 Market Street, St. Louis, Missouri 63101. A Certificate of Good Standing evidencing Spire Missouri’s standing to do business in Missouri is filed in Case No. GU-2020-0376 and incorporated herein by this reference. The information on such Certificate is currently applicable and correct.

2. Spire Missouri is primarily engaged in the business of distributing and transporting natural gas to customers in both the eastern and western portions of the State of Missouri, subject to the jurisdiction of the Commission. Spire Missouri serves customers in the City of St. Louis and ten counties in Eastern Missouri through its Spire East operating unit. Spire

Missouri serves customers in the City of Kansas City and thirty counties in Western Missouri through its Spire West operating unit.

3. Communications in regard to this Application should be addressed to undersigned counsel and the persons below:

Name: Scott Weitzel
Title: Vice President, Regulatory and Governmental Affairs
Spire Missouri Inc.
700 Market Street, 5th Floor
St. Louis, Missouri 63101
Cell (314)-575-0655
Email: Scott.Weitzel@spireenergy.com

4. Other than cases that have been docketed at the Commission, Spire Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates. Spire Missouri currently has no pending actions against it involving customer service.

5. Spire Missouri is current on its annual report and assessment fee obligations to the Commission, and no such report or assessment fee is overdue.

6. The Affidavit of Scott Weitzel is included with this application, stating that all information referenced herein is accurate and truthful.

VARIANCE REQUEST

7. On February 28, 2023, the City of Kansas City (“City”) opened its new \$1.5 billion Kansas City International Airport (“KCI”) terminal. Throughout the construction process, Spire Missouri provided natural gas service to KCI for construction heat through a single large meter.

8. Upon completion of the project, natural gas service at KCI will be limited to use by KCI concessionaires, and not for space heating purposes.

9. Spire Missouri personnel advised the City that natural gas service to KCI concessionaries would need to be provided through individual meters and service lines to each concessionaire, rather than through the large meter set for construction heat purposes, but the City had already installed the gas line and master meter.

10. The KCI project was constructed in such a way that KCI continues to utilize Spire Missouri's single large construction heat meter to provide natural gas to concessionaires throughout the new terminal, distributed by fuel run piping beyond the single large meter.

11. The City intends to continue utilizing this arrangement as a master meter operator and intends to install submetering for each concessionaire for the resale of natural gas at no markup and for the tracking of natural gas usage.

12. Sheet No. 8, 8. Resale of Spire Missouri's Rules and Regulations provides the following: "The gas supplied to a customer will be for the use of the customer only and shall not be re-metered or sub-metered for resale to another or others, except for gas supplied for use as a vehicular fuel." Under the Resale Provision, a customer may not submeter and resell natural gas to other users. KCI submetering natural gas for resale to vendors within the terminal is not allowed under the Company's Rules and Regulations.

13. As KCI has the infrastructure in place to track total usage and the usage by each individual concessionaire and does not seek to resell natural gas for a profit, Spire Missouri seeks a variance from the above Resale Provision of its Tariff Rules and Regulations.

14. Spire Missouri submits there is good cause supporting this variance request as the Company and KCI will not have to install additional facilities for Spire Missouri to meter natural gas service to each vendor.

15. The City, as the operator of the KCI master meter, understands that it will be subject to the Commission's Rules on safety and reporting, including 20 CSR 4240-40.020 and

20 CSR 4240-40.030, as well as the Pipeline and Hazardous Materials Safety Administration's ("PHMSA") safety and reporting rules, as may be applicable. Attached to this Application is the Affidavit of City representative Patrick Klein, Director of the Kansas City, Missouri Aviation Department, stating that the City will comply with all applicable regulations as the operator of a master meter and will sell natural gas at cost to vendors within KCI.

16. Spire Missouri is the only public utility that will be affected by this variance request.

REQUEST FOR WAIVER OF 60-DAY NOTICE

17. Commission Rule 20 CSR 4240-4.017(1) provides, in part, as follows:

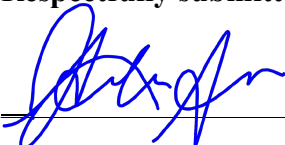
Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

Rule 20 CSR 4240-4.017(1)(D) permits a party to request a waiver of the above cited rule for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case. The Company interprets this to mean that good cause is established if the filing party has had no communication with a member of the office of the Commission outside of pleadings or other public communications. Subject to that understanding, the Company submits the verified declaration of Scott Weitzel that neither the Company nor any person or entity acting on behalf of the Company or its Missouri operating units, has had a communication with a member of the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in the case. For that reason, the Company requests that the Commission

grant a waiver of the 60-day notice requirement for Spire Missouri's request for a variance from its meter sampling procedure.

WHEREFORE, Spire Missouri respectfully requests that the Commission grant the Company's Application for a variance from its meter sampling and grant the Company's waiver of the 60-day notice requirement.

Respectfully submitted,



Matthew Aplington MoBar #58565
General Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0785 (Office)
Email: matt.aplington@spireenergy.com

J. Antonio Arias MoBar #74475
Regulatory Counsel
Spire Missouri, Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0655 (Office)
Email: antonio.arias@spireenergy.com

ATTORNEYS FOR SPIRE MISSOURI INC.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been duly served upon the General Counsel of the Staff and on the Office of the Public Counsel by hand delivery, email, fax, or United States mail, postage prepaid, on this 19 day of May, 2023.

/s/ Lew Keathley

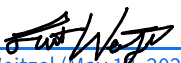
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**VERIFIED DECLARATION OF
SCOTT WEITZEL**

State of Missouri)
) SS
County of St. Louis)

I, Scott Weitzel, being of lawful age and first duly sworn, state that I am the Vice President of Regulatory and Governmental Affairs for Spire Missouri Inc. My business address is 700 Market St., St. Louis, Missouri 63101. I am authorized to make this verification and have knowledge of the matters stated herein. Under penalty of perjury, I hereby swear and affirm that I have read the foregoing request for waiver of 20 CSR 4240-24.017(1), and hereby declare that, other than pleadings or other public communications, Spire Missouri, Inc. has had no communication with the office of the Commission within the prior one hundred and fifty (150) days regarding any substantive issue likely to be in the above referenced case.


Scott Weitzel (May 18, 2023 11:37 CDT)

May 18, 2023

Dated

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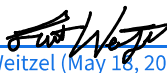
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AFFIDAVIT OF SCOTT WEITZEL

State of Missouri)
) SS
County of St. Louis)

I, Scott Weitzel, being of lawful age and first duly sworn, deposes and states:

1. I am the Vice President, Regulatory and Governmental Affairs for Spire Missouri Inc. My business address is 700 Market St., St. Louis, Missouri, 63101.
2. I am authorized to make the following declarations on behalf of Spire Missouri, Inc. and have knowledge of the matters stated herein.
3. As required by Commission Rule 20 CSR 4240-2.060(1)(M) and under penalty of perjury, I hereby declare that the matters and things stated in the foregoing Application are true and correct to the best of my knowledge and belief.


Scott Weitzel (May 18, 2023 11:37 CDT)

May 18, 2023

Dated

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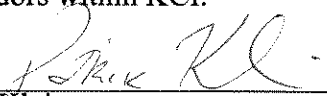
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AFFIDAVIT OF PATRICK KLEIN

State of Missouri)
) SS
County of St. Louis)

I, Patrick Klein, being of lawful age and first duly sworn, deposes and states:

1. I am the Director of the Kansas City, Missouri Aviation Department. My business address is 601 Brasilia Avenue, Kansas City, Missouri 64153.
2. I am authorized to make the following declarations on behalf of the City of Kansas City and have knowledge of the matters stated herein.
3. The City understands that, as the operator of the KCI master meter, it will be subject to the Commission's Rules on safety and reporting, including Commission Rule 20 CSR 4240-40.020 and 20 CSR 4240-40.030, as well as the Pipeline and Hazardous Materials Safety Administration's safety and reporting rules, as may be applicable.
4. I hereby declare that the City will comply with all applicable regulations as the operator of a master meter and will sell natural gas at cost to vendors within KCI.



Patrick Klein
Director of Aviation
Kansas City, Missouri

5-18-23

Dated