

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

In the Matter of the Application of Spire Missouri )  
Inc. to Change its Infrastructure System ) **File No. GO-2019-0115**  
Replacement Surcharge in its Spire Missouri )  
East Service Territory )

In the Matter of the Application of Spire Missouri )  
Inc. to Change its Infrastructure System ) **File No. GO-2019-0116**  
Replacement Surcharge in its Spire Missouri )  
West Service Territory )

**PETITION OF THE MISSOURI ENERGY DEVELOPMENT ASSOCIATION  
FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE**

**COMES NOW** the Missouri Energy Development Association (“MEDA”) and for its petition to file an *amicus curiae* brief in the above captioned proceedings pursuant to 4 CSR 240-2.075 (11) of the Missouri Public Service Commission’s (“Commission”) Rules of Practice and Procedure, states the following:

1. MEDA is an incorporated trade association whose member companies include Union Electric Company, d/b/a AmerenUE; Kansas City Power & Light Company; KCP&L Greater Missouri Operations; Spire Missouri and Summit Natural Gas of Missouri. Each of the member companies are regulated by the Commission as provided by law

2. In this case, the Commission’s staff (“Staff”) contends that the Commission lacks jurisdiction to consider costs that were not fully recovered in two prior Infrastructure System Replacement Surcharge (“ISRS”) cases filed by Spire Missouri Inc. because similar costs are features of a pending appeal of Commission File Nos. GO-2018-0309 and GO-2018-0310.

3. MEDA seeks leave of the Commission to file the accompanying brief of *amicus curiae* in the captioned case to address a policy issue of importance to all regulated utilities in the State of Missouri, that is, whether a pending appeal of a different case necessarily divests the

Commission of jurisdiction to consider similar costs and investments with certain features addressed in a new case, as has been contended by Staff in its March 20<sup>th</sup> Motion to Dismiss. MEDA submits that Staff's jurisdictional analysis in this case represents a fundamentally flawed interpretation of the law and should be denied. Because the jurisdictional contention offered by Staff could establish a regulatory precedent with respect to all regulated utilities (and not just Spire Missouri), MEDA should be allowed to express the views of the regulated industry.

4. MEDA believes the matters addressed in its brief will assist the Commission in reaching a well-informed decision on the legal issues presented by the motions currently pending.

5. MEDA submits simultaneously herewith an *amicus curiae* brief for the Commission's consideration.

WHEREFORE, for the foregoing reasons, the Missouri Energy Development Association respectfully requests that the Commission accept and consider this *Amicus Curiae* brief.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on the 15<sup>th</sup> day of April, 2019, to the following:

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