

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

Tina Vora,	)	
	)	
Complainant	)	
	)	
v.	)	File No. GC-2018-0096
	)	
Spire Missouri, Inc. d/b/a Spire,	)	
700 Market Street, 6th Floor	)	
St. Louis, MO 63101	)	
CERTIFIED MAIL	)	
	)	
Respondent	)	

**NOTICE OF CONTESTED CASE AND  
ORDERS FOR SMALL FORMAL COMPLAINT**

Issue Date: October 10, 2017

Effective Date: October 10, 2017

The Missouri Public Service Commission is giving notice of a contested case and making orders under small formal complaint procedure.

**A. Contested Case**

On October 10, 2017, the complainant filed the complaint, a copy of which is attached. The filing of a complaint requires the Commission to set a hearing.<sup>1</sup> The requirement of a hearing on such issues signifies a contested case.<sup>2</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without an evidentiary hearing, including by stipulation and agreement.<sup>3</sup> The Commission's provisions for discovery are at 4 CSR 240-2.090. Also, as an alternative to the formal

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<sup>1</sup> Section 386.390.5, RSMo 2016.

<sup>2</sup> Section 536.010(4), RSMo 2016.

<sup>3</sup> Section 536.060, RSMo 2016; 4 CSR 240-2.115.

evidentiary hearing procedure, the Commission offers mediation. Mediation is a voluntary process in which a neutral person assists the parties in exploring opportunities for settlement. Upon a request for mediation, the Commission may suspend the schedule set forth in this order.

### B. Small Formal Complaint

For any formal complaint, the Commission's regulations provide:

Upon the filing of a complaint in compliance with these rules, the secretary of the commission shall serve by certified mail, postage prepaid, a copy of the complaint upon the person, corporation or public utility against whom the complaint has been filed, which shall be accompanied by a notice that the matter complained of be satisfied or that the complaint be answered by the respondent, unless otherwise ordered, within thirty (30) days of the date of the notice. [<sup>4</sup>]

Also, the complaint alleges facts to which the Commission applies small formal complaint procedure,<sup>5</sup> for which the Commission's regulations provide:

When a complaint is filed that qualifies for handling as a small formal complaint, the assigned regulatory law judge shall direct the secretary of the commission to serve, by certified mail, postage prepaid, a copy of the complaint upon the [respondent]. At the same time, the regulatory law judge shall notify all parties that the complaint will proceed under the small formal complaint process. The [respondent] is allowed thirty (30) days after the date of notice to satisfy the complaint or file an answer [. <sup>6</sup>]

In addition, the Commission's regulation for small formal complaints requires:

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<sup>4</sup> 4 CSR 240-2.070(7).

<sup>5</sup> 4 CSR 240-2.070(15).

<sup>6</sup> 4 CSR 240-2.070(15)(A).

The commission's staff shall, within forty-five (45) days after the complaint is filed, investigate the complaint and file a report detailing staff's findings and recommendations. [<sup>7</sup>]

The Commission will proceed under the small formal complaint process.

**THE COMMISSION ORDERS THAT:**

1. The complaint shall proceed under the small formal complaint process.
2. The secretary of the commission shall serve a copy of the complaint upon the respondent, by certified mail, postage prepaid.
3. The respondent shall file an answer no later than November 9, 2017.
4. The commission's staff shall investigate the complaint and file a report detailing staff's findings and recommendations no later than November 27, 2017.
5. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 10<sup>th</sup> of October, 2017.

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<sup>7</sup> 4 CSR 240-2.070(15)(D).



**Commissioners**

**DANIEL Y. HALL**  
Chairman

**STEPHEN M. STOLL**

**WILLIAM P. KENNEY**

**SCOTT T. RUPP**

**MAIDA J. COLEMAN**

***Missouri Public Service Commission***

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**SHELLEY BRUEGGEMANN**  
General Counsel

**MORRIS WOODRUFF**  
Secretary

**LOYD WILSON**  
Director of Administration

**NATELLE DIETRICH**  
Staff Director

**Information Sheet Regarding Mediation of Commission Formal Complaint Cases**

Mediation is a process where the parties work together to try to resolve their dispute with the aid of a neutral party, the mediator. The mediator's role is help the parties talk to each other. The mediator may offer suggested solutions, but the mediator has no authority to tell the parties what they must do or to determine who "wins." Instead, the mediator simply works with both parties to help them reach an agreement.

Typically, at a mediation session the parties meet for an off-the-record discussion. The mediation session is not a formal proceeding like a hearing and no attorney is required to participate. The Regulatory Law Judges at the Public Service Commission are trained mediators and this service is offered to parties who have formal complaints pending before the Public Service Commission at no charge. If mediation is agreed to by the parties, the Commission will send notice of who the mediator will be and that person will set up the first meeting.

There cannot be a mediation unless both parties to the complaint agree to try in good faith to resolve the dispute. If both parties agree to mediate the complaint, the only information about the mediation that will be disclosed to the Commission is (a) whether the case has been settled and (b) whether the mediation effort was considered to be helpful. The Commission will not ask what was discussed during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the party filing the complaint before the formal complaint case can be dismissed. If the dispute is not resolved through the mediation process, neither party will be penalized for having taken part in the mediation and the formal complaint case will simply pick up where it left off.

**Morris L. Woodruff**  
Secretary

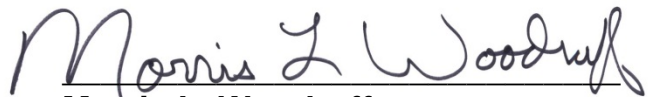
**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 10<sup>th</sup> day of October 2017.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**October 10, 2017**

**File/Case No. GC-2018-0096**

**Missouri Public Service  
Commission**

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**Tina Vora**

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Asheville, NC 28806  
tinar@nursestogo.org

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.