

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

<b>Constellation NewEnergy Gas Division, LLC,</b>	)	
	)	
	)	
<b>Complainant,</b>	)	
	)	
v.	)	<b>Case No. GC-2021-0315</b>
	)	
<b>Spire Missouri, Inc. and its operating unit Spire Missouri West, Respondents.</b>	)	
	)	

**MISSOURI SCHOOL BOARDS' ASSOCIATION  
APPLICATION TO INTERVENE**

Comes Now the Missouri School Boards' Association (hereinafter "MSBA"), by and through counsel, RSBIII, LLC, Richard S. Brownlee, III, and pursuant to 20 CSR 4240-2.075, files its Application to Intervene in the above referenced matter. In support of its Application, the MSBA states the following:

1. MSBA is a 501(c)(6) not-for-profit corporation representing 390 school districts in the State of Missouri as a trade association, many of which are subject to Spire Missouri, Inc.'s ("Spire") natural gas tariff rates, including gas transportation and delivery service provisions.

2. Missouri Section 393.310 RSMo., statutorily recognizes the direct involvement of schools in matters before the Commission dealing with gas corporations. This historically relates to Spire's tariff filings, gas purchasing, gas resale, gas metering, gas aggregation, gas transportation and rate cases.

3. On March 26, 2021, Constellation NewEnergy Gas Division, LLC ("Constellation") filed a Complaint alleging that Spire misapplied certain transportation tariff provisions during the February weather event polar vortex. As a result of the alleged violation of

these tariff provisions, Spire has issued transportation tariff based Operational Flow Order (“OFO”) penalties on invoices to Constellation in the amount of approximately \$35.5 million. Constellation also claims the penalty charges are not just and reasonable and the commission should void them.

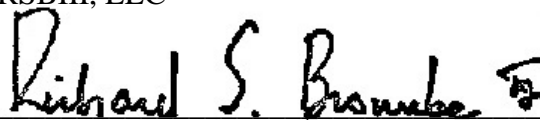
4. Gas marketers like Constellation may attempt to allocate certain tariff penalties to Spire transportation customers, including MSBA. Recognizing that the matters at issue in this Complaint case legally concern the interpretation of Spire’s transportation tariff and the potential imposition of contract penalties under that tariff and contracts, the matters to be addressed herein have a direct and critically significant impact on the interest of Spire’s transportation customers, including MSBA.

5. MSBA’s direct interests in this filing are financially unique and cannot be reasonably represented by any other entity.

6. MSBA has regularly been granted intervenor status in previous gas issue filings involving Spire and has actively participated in those proceedings.

**WHEREFORE**, the Missouri School Boards’ Association requests that it be granted intervention in the above referenced matters.

Respectfully submitted,  
RSBIII, LLC




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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for this case on this 19<sup>th</sup> day of April, 2021.

  
Richard S. Brownlee III, Attorney