

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

In the Matter of Spire Missouri, Inc.)	
d/b/a Spire's Request for Authority to)	
Implement a General Rate Increase for)	Case No. GR-2022-0179
Natural Gas Service Provided in the)	
Company's Missouri Service Areas)	

**OBJECTION TO SPIRE'S REQUEST TO NOT SUSPEND ITS TARIFF SHEETS
AN ADDITIONAL SIX MONTHS**

COMES NOW the Office of the Public Counsel ("OPC") and for its *Objection to Spire's request to not suspend its tariff sheets an additional six months*, states as follows:

1. The *Order* issued by the Commission in the above styled case on April 4, 2022, stated as follows:

Spire asks that the Commission not suspend the tariff for the six months beyond the 120 days provided for in Section 393.150.1 RSMo. In support of its position, Spire asserts that there will be a limited number of contested issues.

2. The Commission's *Order* further stated that any responses to Spire's request to not suspend its tariff sheets an additional six months beyond August 28, 2022, shall be filed no later than April 15, 2022.

3. Pursuant to the Commission's *Order*, the OPC now responds and objects to Spire's request to not suspend its tariff sheets an additional six months beyond August 28, 2022.

4. First, the OPC does not agree that this case will concern only a limited number of contested issues as the OPC intends to independently raise several issues in addition to those that Spire has itself brought. Moreover, a shortened timeframe will greatly reduce the ability of parties to reach settlement on those issues that are raised as there will be very little time for negotiations to occur, which will thereby increase the likelihood (and potential length) of an evidentiary hearing.

5. In addition, because the OPC was unable to make data requests prior to the filing of Spire's direct case, the OPC will need significantly more time than the base 120 days to conduct the discovery necessary to sufficiently develop its own case in chief.

6. Further, the OPC notes that the Commission's April 4th *Order* does not require a joint proposed procedural schedule until May 6. Given this time frame, a failure to suspend Spire's tariff sheets an additional six months would require parties to prepare and file three rounds of testimony, engage in a contested hearing, receive transcripts of same, and brief all relevant issues (both initially and on reply) in a little under four months. Moreover, this does not include whatever time the Commission believes it would need between the date briefs are submitted and the issuance of a decision. This is far too little time for the development of a full and proper record.¹

¹ The OPC notes to the Commission that its *Amended Report and Order* from the previous Spire rate case (GR-2021-0108) explicitly acknowledged that there were issues that were not able to be fully developed during the course of the case. GR-2021-0108, *Amended Report and Order*, pg. 63 ("Because the stranded assets issue was discovered tangential to another issue in the case, it did not receive sufficient attention from the parties for the Commission to make an informed finding."). An extension of the base 120 days permitted by statute will be necessary to allow such issues to be fully developed in this case and prevent a repetition of this error. This is especially true given the fact that Spire has chosen not to address these issues in its direct testimony.

7. The need for a well-developed record is exceptionally important given that Spire's request is for \$152 million, which is substantially larger than the request made in the previous rate case (for which the Commission granted an extension of the additional six months permitted by statute). This is not a small request and the Commission should not treat it as such by limiting the time to review the case.²

8. Finally, the OPC notes that there are two other general rate cases currently before the Commission (Evergy Missouri Metro and Evergy Missouri West in cases ER-2022-0129 and ER-2022-0130 respectively) as well as a three major securitization cases (EF-2022-0155 for Evergy Missouri West and EO-2022-0193 and EO-2022-0040 for Empire Electric) in addition to the litany of smaller cases. A failure to extend the suspension of Spire's current tariffs by the additional six months permitted by statute would thus result in significant congestion of the Commission's docket in addition to being unduly burdensome on parties who are obligated to participate in all the aforementioned cases.

WHEREFORE, the Office of the Public Counsel respectfully requests the Commission reject Spire's request to not suspend its tariff sheets an additional six months beyond August 28, 2022, and instead issue an order suspending Spire's tariff sheets for the maximum amount permissible under the law.

² In particular, it appears that cost of capital and rate of return will be major components of this case. These are issues that have generally always need a full 11 month process as they are highly complex and require substantial modelling and analysis.

