



James H. Byrd  
McCarter & English, LLP  
1301 K Street, NW  
Suite 1000 West  
Washington, DC 20005  
(202) 753-3412  
jbyrd@mccarter.com

Spire Missouri is a corporation organized and existing under the laws of the State of Missouri. It is a public utility engaged in the purchase, retail distribution and sale of natural gas to more than one million residential, commercial and industrial customers. Spire Missouri, through its Spire Missouri West and East utilities, holds firm transportation entitlements of 787,488 Dth/day and 16,295,829 Dth of firm storage capacity on Southern Star.

On March 11, 2021, Southern Star submitted a tariff filing requesting that the Commission approve Southern Star's waiver of the collection and crediting of operational flow order ("OFO") penalties that may have been incurred by Shippers and/or Point Operators during the period from gas day February 11, 2021, through gas day February 19, 2021, during which the Southern Star system was impacted by unexpected and severe winter conditions. As a customer of Southern Star, Spire Missouri has an interest that will be directly affected by the outcome of this proceeding. Spire Missouri should therefore be granted party status.

## **II. COMMENTS**

In the few days that have elapsed since Southern Star submitted its request for a blanket waiver of its OFO penalties Spire Missouri has held discussions with Southern Star, and it is still assessing the facts and circumstances surrounding the OFO penalties that Southern Star seeks authorization to waive in this proceeding. In addition, Spire Missouri is evaluating potential alternatives to a blanket waiver of penalties that could provide more targeted relief from OFO penalties without diminishing the incentive to comply with OFOs in the future.

Spire Missouri understands that the operational challenges Southern Star experienced during the recent extreme cold weather were largely caused by insufficient gas supplies. Southern Star states that many shippers took actions that assisted Southern Star during the period of extreme weather and helped enable Southern Star to continue to provide firm service without curtailment. For its part, Spire Missouri acquired significant quantities of flowing gas to ensure it could meet the requirements of its customers and incurred a considerable expense to do so during the period of peak demand. Spire Missouri remained in constant communication with Southern Star during the extreme weather event to ensure Spire was taking all necessary actions to comply with the OFO, and to also help alleviate other potential problems across the Southern Star system.

Given the limited time in which to comment on Southern Star's waiver filing and its ongoing evaluation of the circumstances, Spire Missouri reserves the right to supplement these comments to address Southern Star's blanket waiver request, including but not limited to alternatives that could provide relief from penalty exposure without eroding incentives for future compliance with Southern Star's OFOs.

### **III. CONCLUSION**

Spire Missouri respectfully requests that the Commission grant its motion to intervene in this proceeding and reserves its right to supplement this pleading based on further evaluation of the waiver request and the underlying events.

Respectfully submitted,

SPIRE MISSOURI INC.

/s/ James H. Byrd

James H. Byrd  
McCarter & English, LLP  
1301 K Street, NW  
Suite 1000 West  
Washington, DC 20005  
(202) 453-3412

/s/ Goldie Bockstruck

Goldie Bockstruck  
Spire Missouri Inc.  
700 Market Street, 6th Floor  
St. Louis, MO 63101  
(314) 342-0533

Attorneys for Spire Missouri Inc.

March 18, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC this 18th day of March, 2021.

/s/ James H. Byrd  
James H. Byrd  
McCarter & English, LLP  
1301 K Street, NW  
Suite 1000 West  
Washington, DC 20005  
(202) 453-3412