

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

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

**APPLICATION TO INTERVENE OF
THE MIDWEST ENERGY CONSUMERS GROUP**

COMES NOW the Midwest Energy Consumers Group (“Applicant” or “MECG”), pursuant to 20 CSR 4240-2.075 of the Missouri Public Service Commission’s Rules of Practice and Procedure, and for its Application to Intervene respectfully states as follows:

1. On March 26, 2021, Constellation NewEnergy Gas Division, LLC. (“Constellation”) filed its Complaint alleging that Spire Missouri, Inc. (“Spire”) misapplied certain transportation tariff provisions during the February polar vortex. As a result of the alleged violation of these tariff provisions, Spire has issued invoices to Constellation in the amount of approximately \$35.5 million.

2. MECG represents the interests of large commercial and industrial users of utility services including those of Spire transportation customers. It is possible that, depending on the terms of the underlying contracts, gas marketers like Constellation may attempt to allocate the penalties in question to these Spire transportation customers. Recognizing that the matters at issue in this case concern the interpretation of Spire’s

transportation tariff and the potential imposition of penalties under that tariff, the matters to be addressed herein could have a direct and significant impact on the interest of Spire's transportation customers. Therefore, granting this proposed intervention to the Applicant would serve the public interest and would assist the Commission in development of a more complete record.

3. Furthermore, as a representative of a certain segment of Spire's customer base (transportation customers), MECG has a direct and immediate interest in these proceedings that is different from that of the general public.

4. While MECG does not, at this time, have sufficient information to assert a position on this investigation, it reserves the right to assert positions after it has had an adequate opportunity to examine the record, and any documentation of other parties filed herein.

5. Correspondence and communications regarding this application, including service of all notices and orders of this Commission, should be addressed to:

David L. Woodsmall
Woodsmall Law Office
308 East High Street, Suite 204
Jefferson City, MO 65101

WHEREFORE, having stated the grounds for intervention and the position and interest of the Applicant in these proceedings, Applicant asks that the Commission grant this Application for Intervention, and thereby entitle said Applicant to have notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard through counsel on the argument, and in all other respects to be made parties to this proceeding.

Respectfully submitted,



David L. Woodsmall, MBE #40747
308 East High Street, Suite 204
Jefferson City, Missouri 65101
(573) 797-0005 (telephone)
david.woodsmall@woodsmalllaw.com

ATTORNEY FOR THE MIDWEST
ENERGY CONSUMERS GROUP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.



David L. Woodsmall

Dated: April 2, 2021