

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

In the Matter of the Application of Spire)
Missouri Inc. for a Certificate of Convenience)
and Necessity to Construct, Install, Own, Operate)
Maintain, and Otherwise Control and Manage a) Case No. GA-2023-xxxx
Natural Gas Distribution System in Cass County,)
Missouri As an Expansion of its Existing)
Certified Areas.)

**APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR CASS COUNTY AND REQUEST
FOR WAIVER**

COMES NOW Spire Missouri Inc. (“Spire” or the “Company”), by and through its undersigned counsel, and, pursuant to Section §393.170 RSMo, and Commission Rules 20 CSR 4240-2.060 and 20 CSR 4240-3.205, respectfully submits this Application to the Missouri Public Service Commission (“Commission”) for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in Cass County, Missouri, as a further expansion of its existing certificated area. Pursuant to Commission Rule 20 CSR 4240-4.017(1)(D), the Company also requests a waiver from the notice provisions of Rule 20 CSR 4240-4.017(1). In support of its Application and request for a waiver, Spire states as follows:

1. Spire is a public utility and gas corporation incorporated under the laws of the State of Missouri, with its principal office located at 700 Market Street, St. Louis, Missouri 63101.
2. A Certificate of Good Standing evidencing Spire's standing to do business in Missouri was submitted in Case No. GF-2020-0334 and is incorporated by reference herein for all purposes. The information in such Certificate is current and correct.

3. Spire is engaged in the business of distributing and transporting natural gas to customers in Missouri as a gas corporation subject to the jurisdiction of the Commission. Spire provides gas service in Missouri to customers in the City of St. Louis and the Counties of St. Louis, St. Charles, Crawford, Jefferson, Franklin, Iron, St. Genevieve, St. Francois, Madison, Butler, Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Newton, Pettis, Platte, Ray, Saline, Stone, and Vernon.

4. Other than cases that have been docketed at the Commission, Spire has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates. Spire has no annual report or assessment fees that are overdue.

5. All correspondence, communications, notices, orders, and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and to:

Trisha Lavin
Senior Regulatory Analyst
Spire Missouri Inc.
700 Market Street, 5th Floor St.
Louis, Missouri 63101
(314) 934-9838
Trisha.lavin@spireenergy.com

CERTIFICATE OF CONVENIENCE AND NECESSITY

6. Spire submits this Application for a CCN to construct, install, own, operate, maintain, and otherwise control and manage a natural gas system to provide natural gas service in Cass County, Missouri, as a further expansion of its existing certificated area. Spire is seeking a

CCN for Section 18, Township 46 North, Range 31 West of Cass County (“Section 18”). Spire already has assets and is serving customers in this area.

7. ** [REDACTED] ** (the “Customer”) identified Spire as the natural gas service provider with a franchise to serve the City of Raymore and approached the Company to provide natural gas service for its expansion in Section 18. This expansion includes the ** [REDACTED] ** (the “Facility”) for which Spire has already installed assets in October 2022. Prior to starting the installation of assets to serve the Facility, Spire had no infrastructure and was serving no customers in Section 18. Spire has installed 6,131 feet of 6-inch plastic main and 364 feet of 2-inch service to serve the Facility.

8. The legal description of the area is listed above. Attached as **Appendix 1** is a plat drawn to a scale of one-half inch (1/2") to the mile on maps comparable to county highway maps issued by the Missouri Department of Transportation or a plat drawn to a scale of two thousand feet (2,000') to the inch. Natural gas service is not currently offered by another unregulated or regulated entity in the area for which a CCN is being requested. As mentioned above, the Company has Commission approved certificated areas surrounding the requested section, which are shown in the attached map in **Appendix 2**.

9. The Facility is currently served under the Company’s Large General Service tariff Sheet No. 4 but has requested to change service to the Transportation Service tariff Sheet No. 9. The Company proposes that the tariff rate change be effective as of June 2023 with the Customer’s next billing cycle. The Transportation Service current effective rates will apply to the Customer as established in Spire’s most recent rate case proceeding, GR-2022-0179, or until rates are changed by an approved tariff or a Commission Order.

10. Spire was approached by two additional residential customers along the route and in Section 18 who wanted to convert from propane. The names and addresses of all current customers being served from the Company's mains and services is included in **Appendix 3**, which has been marked as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)1 because it contains information relating directly to specific customers.

11. Current revenues and actual construction costs associated with the initial main extension are shown in the feasibility study attached as **Appendix 4**, which has been marked as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)3 and 4 because it contains information regarding market-specific information. No external financing will be required for construction related to this project.

12. Spire holds all necessary franchises and permits from municipalities, counties, or other authorities that are required for Spire to serve the subject areas. Documentation that provides assent from the City of Raymore, Missouri is attached as **Appendix 5**.

13. Attached as **Appendix 6** is a signed affidavit of Carla Politte, Manager of Large Commercial and Industrial Development. for Spire Missouri, asserting that all information regarding this proposed CCN is accurate and truthful.

14. This CCN application is in the public interest because Spire Missouri is the only utility in the immediate area of these customers, has surrounding sections in this county in its certificated area, already has assets in service, and is providing safe, reliable and affordable service to the customers. Spire Missouri's experience in the operation of natural gas systems gives it the ability to provide safe, reliable, and adequate service in an efficient manner. For all the reasons set forth herein, Commission approval of this Application is required by the public convenience and

necessity.

REQUEST FOR WAIVER FROM 60-DAY NOTICE RULE

15. Commission Rule 20 CSR 4240-4.017(1) provides, in part, as follows:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

16. Rule 20 CSR 4240-4.017(1)(D) permits a party to request a waiver of the above cited rule for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case. The Company interprets this to mean that good cause is established if the filing party has had no communication with a member of the office of the Commission outside of pleadings or other public communications. Subject to that understanding, the Company has attached, as **Appendix 7**, the verified declaration of Trisha Lavin that neither the Company nor any person or entity acting on behalf of the Company, has had a communication with a member of the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in the case. For that reason, the Company requests that the Commission grant a waiver of the 60-day notice requirement for Spire Missouri's application for a CCN in Cass County.

WHEREFORE, Spire respectfully requests, for good cause shown, that the Commission waive the notice requirement of 20 CSR 4240-4.017(1), approve this Application, issue a CCN to Spire as set forth above and in the attached appendices, and grant such other and further relief as is just and proper under the circumstances.

Respectfully submitted,



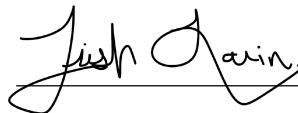
Matthew Aplington MoBar #58565
General Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0785 (Office)
Email: matt.aplington@spireenergy.com

J. Antonio Arias, MoBar #74475
Counsel, Regulatory
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0655 (Office)
Email: antonio.arias@spireenergy.com

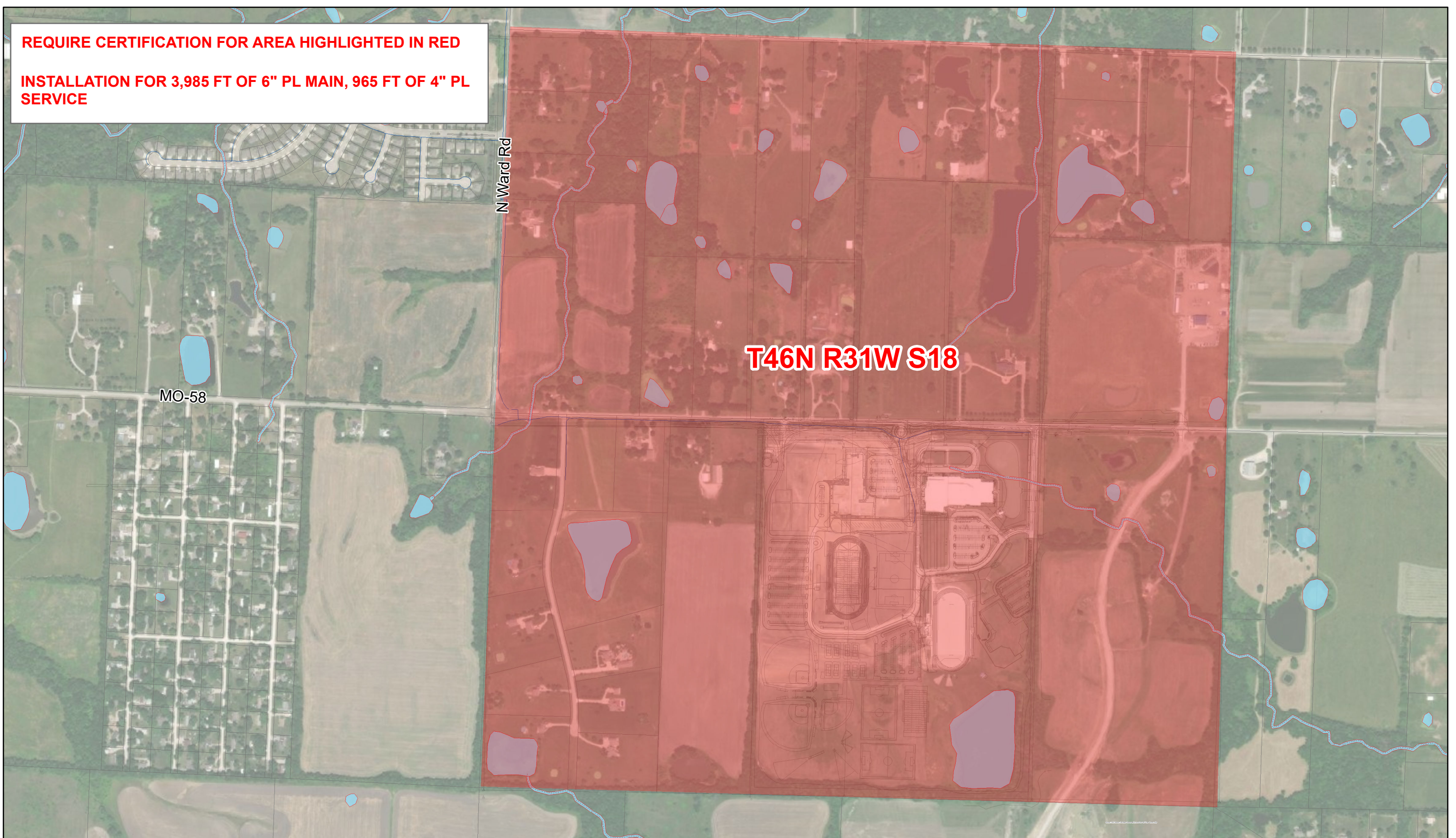
ATTORNEYS FOR SPIRE MISSOURI INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was serve on the Staff of the Commission and the Office of the Public Counsel via electronic mail (e-mail) on this 16th day of May, 2023.

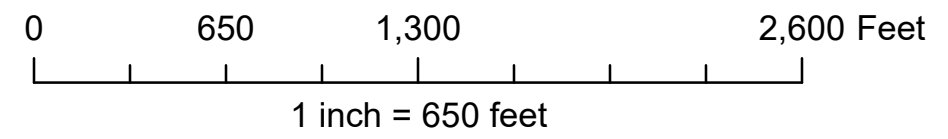


REQUIRE CERTIFICATION FOR AREA HIGHLIGHTED IN RED
INSTALLATION FOR 3,985 FT OF 6" PL MAIN, 965 FT OF 4" PL SERVICE



T46N R31W S18

Job Description:
- MEXTE

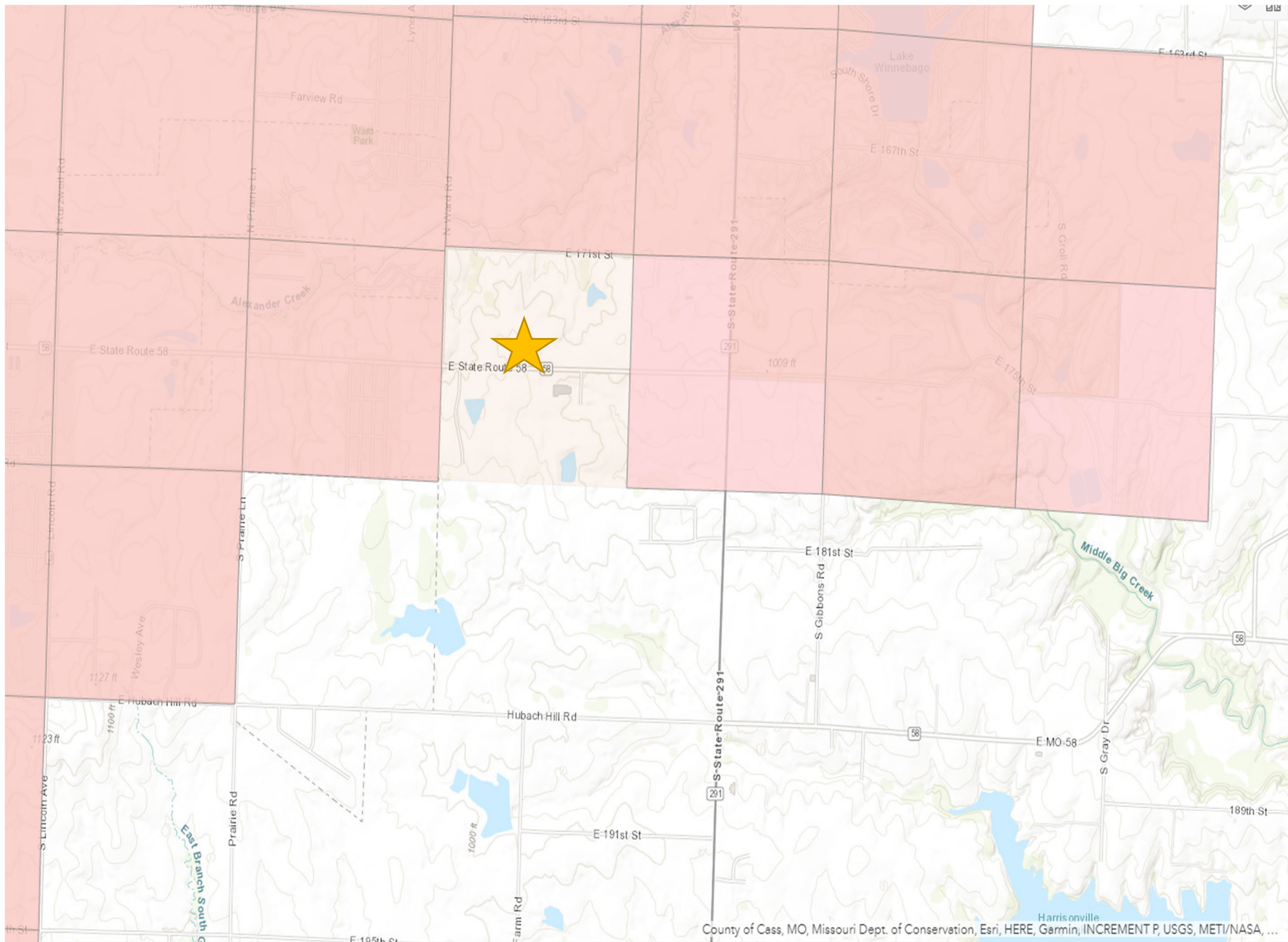


Maximo Work Order: 22220116
Project #: 804388



PAGE OF

Appendix 2



Confidential Pursuant to 20 CSR 4240-2.135(2)(A)1

Cass County CCN

Name & Addresses

Confidential in its Entirety

Confidential Pursuant to 20 CSR 4240-2.135(2)(A) 3 and 4

BILL 3083

ORDINANCE 2015-052

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, GRANTING TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, DOING BUSINESS AS MISSOURI GAS ENERGY, OPERATING A GAS DISTRIBUTION SYSTEM IN THE CITY OF RAYMORE, MISSOURI, ITS SUCCESSORS OR ASSIGNS, A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM IN SAID CITY AND RELATING THERETO.”

WHEREAS, in an Ordinance numbered 25048, dated April 11, 2005, the City of Raymore granted to Missouri Gas Energy, a division of Southern Union Company, and its successors and assigns a franchise to operate a natural gas distribution system for a period of 10 years; and

WHEREAS, the Missouri Public Service Commission approved the transfer and sale of Southern Union Company’s Missouri Gas Energy assets to Laclede Gas Company in an order made effective July 31, 2013 which became effective September 1, 2013; and

WHEREAS, Laclede Gas Company has submitted an application to the City of Raymore for a twenty (20) year renewal of a franchise agreement; and

WHEREAS, The Raymore City Council deems it is in the best interest of public health, safety, and welfare to renew the franchise agreement as a non-exclusive franchise agreement with Laclede Gas Company for a period of twenty (20) years.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI AS FOLLOWS:

Section 1. The right, permission and authority for a period of twenty (20) years is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri, doing business as Missouri Gas Energy (“Company”), its successors and assigns, to construct, reconstruct, excavate for, place, replace, extend and maintain all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Raymore (hereinafter sometimes called “City”), as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Raymore, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas

dedicated to the City for public utility use; and the authority hereby granted shall at all times be subject to proper regulation by the City and all lawful Ordinances of the City of Raymore now in existence or hereafter enacted which are not inconsistent herewith.

Section 2. Extensions of, and additions to, the distribution system maintained by Company, its successors or assigns, in the City of Raymore, shall be made in accordance with the rules and regulations governing such extensions and additions by Company now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company's facilities within the City's rights-of-way shall be determined by State law as shall be specified by Statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable attempts to obtain the necessary property rights to maintain its facilities in the right-of-way.

Section 3. All rates established and charges made by Company for gas transported, distributed and sold hereunder shall be subject to valid and lawful orders of the Public Service Commission of the State of Missouri, and other competent authority having jurisdiction in the premises, and the transportation, distribution and sale of gas to consumers shall be governed by the present operating rules, regulations and customs of Company and such rules and regulations as may hereafter be prescribed or approved.

Section 4. Transfer of Rights. The Company shall not, without prior approval by the City in writing which shall not be unreasonably withheld or delayed, sell, assign, transfer, or convey in any manner this Franchise or any rights or privileges granted hereunder to another entity. This franchise shall be binding on the successors and assigns of the Company subject to the approval set forth above, except that this Franchise shall terminate if a sale, transfer, or assignment, as described, is not approved by the City. In the event of a sale, assignment, transfer or conveyance of substantially all of the Company's assets within the City which transaction is subject to, and has received, the approval of the Missouri Public Service Commission, the sale, assignment, transfer, or conveyance of this Franchise to the same entity or entities to which the assets have been sold, assigned, transferred or conveyed shall be presumed to be approved by the City unless the City notifies the new owner(s) of the assets that such approval is being revoked within ninety (90) days of the transaction's approval by the Missouri Public Service Commission, in which event this Franchise shall terminate.

Section 5. Company shall hold said City harmless from all liability, including injury or damage to person or property arising from the negligence or mismanagement of

Company or its subcontractors in the construction, reconstruction, excavation, extension, restoration or maintenance of the mains, service pipes, conduits, conductors or other equipment in along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of Raymore in the exercise of any of the rights and privileges conferred by this Ordinance.

Section 6. The rights, privileges and authority hereby granted shall inure to and be vested in Company, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Company shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 7. As consideration for the rights and privileges conferred by this Ordinance, Company shall pay to said municipality the gross receipts taxes, if any, provided for by applicable Ordinances, as the same may be amended from time to time so far as such Ordinances are reasonably applicable to the condition and business of the Company, and charges to the Company for any use of the public rights-of-way shall be limited to reasonable right-of-way management costs.

Section 8. Company shall, within sixty (60) days after the passage and approval of this Ordinance, file its acceptance thereof with the Clerk of the City of Raymore, and this Ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 9. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 10. Neither acceptance of, nor compliance with, the provisions of this Ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Company, its successors or assigns, may have independently of this Ordinance; nor shall any use by Company, its successors or assigns, of public property or places in the City of Raymore, as authorized by this Ordinance or service rendered by Company, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this Ordinance or as service referable solely to this Ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Company, its successors or assigns, independently of this Ordinance; and the acceptance provided for in Section 6 of this Ordinance, and each and every compliance with the provisions of this Ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the

acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 11. All Ordinances and parts of Ordinances in conflict with this Ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 12. This Ordinance shall not relieve Company of the obligation to comply with any Ordinance now existing in the City or enacted in the future requiring Company to obtain written permits or other approval from the City prior to commencement of construction of facilities within the street rights-of-way thereof, except Company shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 13. If any provision of this Ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this Ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

DULY READ THE FIRST TIME THIS 13TH DAY OF JULY, 2015.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 27TH DAY OF JULY, 2015 BY THE FOLLOWING VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Burke, III	Absent
Councilmember Holman	Absent
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Stevens	Aye

ATTEST:


Jean Woerner, City Clerk

APPROVE:


Peter Kerckhoff, Mayor

7/29/15
Date of Signature





This Acceptance of Ordinance received and filed this 30TH day of September, 2015.

Jeanie Woerner
City Clerk

City of Raymore, Missouri

ACCEPTANCE OF ORDINANCE

STATE OF MISSOURI)
)
CITY OF ST. LOUIS) ss.

KNOW ALL MEN BY THESE PRESENTS, That Laclede Gas Company, a corporation organized and existing under the laws of the State of Missouri and Grantee named in Ordinance No. 2015-052 of the Ordinances of the City of Raymore, Missouri, the same being entitled:

“AN ORDINANCE of the City of Raymore, Missouri, granting to Laclede Gas Company, a Missouri corporation, doing business as Missouri Gas Energy, operating a gas distribution system in the City of Raymore, Missouri, its successors or assigns, a franchise to operate a natural gas distribution plant and system in said City and relating thereto.”

hereby accepts the terms and conditions of said Ordinance and the franchise granted.

IN WITNESS WHEREOF, Laclede Gas Company has caused this instrument to be signed by its Vice President, Operations Services and attested this 2ND day of September, 2015.

LACLEDE GAS COMPANY

By Craig Hoferlin
Craig Hoferlin
Vice President of Operations Services

DPA

ATTEST:

Elle S. Theroff
Printed Name Elle L. Theroff

STATE OF MISSOURI)
)
CITY OF ST. LOUIS) ss.

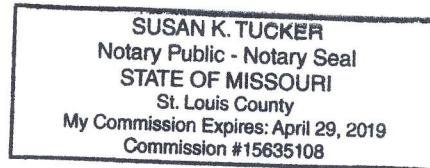
BE IT REMEMBERED, that on this 2nd day of September, 2015, before me, the undersigned, a Notary Public, came Craig Hoeflerin, who is Vice President of Operations Services of Laclede Gas Company, a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Missouri, who is personally known to me to be such officer, and who is personally known to me to be the same person who executed as such officer the above and foregoing instrument of writing on behalf of said corporation, and he duly acknowledged the execution of the same to be the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notary seal the day and year last above written.

Susan K. Tucker
Notary Public

My Commission Expires:

4-29-19



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

In the Matter of the Application of Spire Missouri)	File No.
Inc. for a Certificate)	
of Convenience and Necessity to Construct, Install,)	
Own, Operate, Maintain, and Otherwise Control)	
and Manage a Natural Gas Distribution System to)	
Provide Gas Service in Cass County by Natural)	
Gas Expansion in an Uncertificated Area.)	

AFFIDAVIT AND VERIFICATION

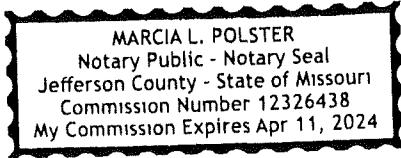
STATE OF MISSOURI)	
)	SS.
COUNTY OF ST. LOUIS)	

Carla Politte, of lawful age, being first duly sworn, deposes and states:

1. My name is Carla Politte, I am Manager, Large Commercial and Industrial Business Development. My business address is 700 Market St. Saint Louis, Missouri, 63101.
2. The purpose of this affidavit is to comply with Commission Rule 20 CSR 4240-3.205(1)(D) and 240.3.205(2) requiring Spire to file a certified copy of the document granting it the necessary consent or franchise or an updated affidavit attesting that it has received the necessary county consent for the requested service territory expansion.
3. Spire received a written and signed consent letter from the City of Raymore, Cass County, on September 30, 2015. The City of Raymore, Cass County's signed consent letter has been included in this Appendix.
4. I hereby swear and affirm that the information contained herein, and in the attached documents is true and correct to the best of my knowledge and belief.

Carla S. Politte

Subscribed and sworn to before me this 25th day of April, 2023.



Marcia L. Polster

Notary Public

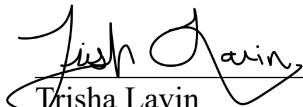
**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Spire Missouri Inc.,)
for a Certificate of Convenience and Necessity to Construct,)
Install, Own, Operate, Maintain, and Otherwise Control and) Case No. 2023-XXXX
Manage a Natural Gas Distribution System to Provide Gas)
Service in Cass County, Missouri as an Expansion of its)
Existing Certificated Areas.)

VERIFICATION

State of Missouri)
) SS
County of St. Louis)

I, Trisha Lavin, state that I am a Senior Regulatory Analyst for Spire Missouri Inc. I am authorized to make this verification on behalf of Spire Missouri Inc. and that under the penalty of perjury, I declare that the matters and things stated in the foregoing Application are true and correct to the best of my knowledge and belief. I also hereby swear and affirm that I have read the foregoing Request for Waiver, and hereby declare that, other than pleadings or other public communications, Spire Missouri Inc. has had no communication with the office of the Commission, within the prior one hundred and fifty (150) days regarding any substantive issue likely to be in the above referenced case.



Trisha Lavin

May 16, 2023

Dated