

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

In the Matter of the Application of Spire Missouri)
Inc. to Change its Infrastructure System) **File No. GO-2019-0115**
Replacement Surcharge in its Spire Missouri)
East Service Territory)

In the Matter of the Application of Spire Missouri)
Inc. to Change its Infrastructure System) **File No. GO-2019-0116**
Replacement Surcharge in its Spire Missouri)
West Service Territory)

RESPONSE TO STAFF RECOMMENDATION AND OPC OBJECTIONS

COMES NOW Spire Missouri Inc., on behalf of itself and its two operating units, Spire Missouri East (“Spire East”) and Spire Missouri West (“Spire West”) and submits this Response to Staff’s Recommendation and OPC’s Objections. In support thereof, the Company states as follows:

1. On March 20, 2019, the Commission issued its Order Scheduling Evidentiary Hearing, Establishing Procedural Schedule and other Procedural Requirements. In its Order, the Commission stated that it “has previously ordered Spire Missouri to respond to the recommendations and objections no later than March 22, 2019. However, because a Commission decision must be made before May 14, 2019, the Commission will not delay in setting an expedited procedural schedule.”

2. Because a new procedural schedule has been set, Spire Missouri assumed that it superseded the prior procedural schedule, including the necessity for the Company to respond to Staff’s Recommendation and OPC’s objections. Out of an abundance of caution, however, the Company notes for the record that it:

(a) agrees with Staff's recommendation to the extent it supports the accuracy and results of the analyses performed by the Company to demonstrate the eligibility of its ISRS investments and recommends the inclusion of those ISRS investments supported by such analyses. The Company believes that such recommendations and findings by the Staff are fully in keeping with the evidentiary roadmap specified by the Commission in Case Nos. GO-2018-0309 and GO-2018-0310 for substantiating the ISRS eligibility of such investments;

(b) disagrees with Staff's and OPC's recommendation to the extent they propose to exclude from ISRS recoveries in these cases investments that were not recovered in Case Nos. GO-2018-0309 and GO-2018-0310. The reasons why the Company disagrees with this recommendation are more fully articulated in the Company's Response in Opposition to Staff's Motion to Dismiss that portion of its Application that addresses such investments, which Response has been filed on this same date;

(c) disagrees with Staff's recommendation to the extent it excludes an allowance for income taxes on the grounds that Staff's proposed treatment is inconsistent with those provisions of the ISRS statute that address the calculation of income taxes as well as prior Commission decisions relevant to this issue.

3. In terms of OPC's other objections, the Company disagrees with each and every objection tendered by OPC in its pleading. The eligibility of the investments included in its ISRS application have been substantiated in accordance with the evidentiary roadmap specified by the Commission for determining ISRS eligibility under the Western District Court of Appeals opinion on this issue. Such investments also meet all other elements necessary under the ISRS Statute to be eligible for inclusion as demonstrated by the Company's application, Staff's analyses, and the testimony that will be furnished by the Company under the procedural schedule and evidentiary

hearing that OPC has requested and been granted. The Company's testimony will also address why OPC's other claims and objections are groundless.

WHEREFORE, for the foregoing reasons, Spire Missouri Inc. respectfully requests that the Commission accept this Response.

Respectfully submitted,

SPIRE MISSOURI INC.

/s/ Michael C. Pendergast #31763
Of Counsel, Fischer & Dority, P.C.
423 (R) South Main Street
St. Charles, MO 63301
Telephone: (314) 288-8723
Email: mcp2015law@icloud.com

/s/ Rick Zucker #49211
Zucker Law LLC
14412 White Pine Ridge
Chesterfield, MO 63017
Telephone: (314) 575-5557
E-mail: zuckerlaw21@gmail.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing pleading was served on Staff and the Office of the Public Counsel, on this 22nd day of March 2019 by hand-delivery, fax, electronic mail or by regular mail, postage prepaid.

/s/ Rick Zucker