

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

In the Matter of Spire Missouri Inc. d/b/a Spire )  
Missouri West Concerning a Natural Gas Pipeline ) File No. GS-2021-0019  
Incident Along Highway 169 in Kansas City, Missouri )

**SPIRE’S RESPONSE TO STAFF’S GAS INCIDENT REPORT**

**COMES NOW** Spire Missouri Inc., d/b/a Spire (“Spire” or “Company”) and files this Response to the Staff of the Missouri Public Service Commission’s (“Staff”) Gas Incident Report.

**BACKGROUND**

1. On May 28, 2020, Missouri One Call was notified of a request to locate Spire facilities in the Kansas City area off the shoulder of Highway 169, for excavation work to take place on June 3, 2020. Spire’s contract locator responded on June 1, 2020, that the area was “clear/no conflict” meaning Spire’s facilities were not in the excavation area. This response by the contractor was incorrect. On July 1, 2020, after the locate request had expired, an excavator, relying on the expired locate, hit Spire facilities causing a gas leak. Spire immediately responded to the scene and worked to shut off gas in the area. No injuries or gas service disruption resulted from the incident.

2. On July 21, 2020 Staff filed a motion requesting that the Commission open a case to investigate the incident. The Commission granted the motion on July 29, 2020 and ordered Staff to file a report regarding their findings.

3. On July 1, 2021, Staff filed *Staff’s Gas Incident Report* (“Staff’s Report”) regarding its findings of the July 1, 2020 Highway 169 incident. The Staff’s Report noted many of the Company’s procedures and actions to be in compliance with the Missouri Public Service Commission’s (“Commission”) gas safety rules. Staff’s Report also identified five violations of the Commission’s gas safety rules, and provided recommendations to address each violation. The

Staff Report requested the Commission order Spire to respond to Staff's Report and file an action plan by December 31, 2021 to implement Staff's recommendations.

4. On July 12, 2021 Spire filed a *Request for Additional Time to Respond to Staff's Gas Incident Report*, requesting until September 13, 2021 to respond. This request was granted by the Commission on July 14, 2021.

### **SPIRE RESPONSE TO RECOMMENDATIONS**

5. Spire has reviewed Staff's Report and Recommendations and finds that Staff's assessment of the facts surrounding the incident are correct. Spire has been diligently working on improving its processes to minimize locate errors in the future. The Company will respond to each recommendation below, first stating the Staff Recommendation, followed by the Company's response.

a. **Staff Recommendation # 1:** Staff recommends that Spire review, evaluate and update, as necessary, its reporting procedures to ensure that such procedures require revision or confirmation of its initial telephonic notice to the NRC within 48 hours after the confirmed discovery of an incident as required by 20 C.S.R. 4240-40.020(3)(C).

*Spire Response:* This recommendation is in line with the Company's current practice. The Company will add the requested language to its SOP.

b. **Staff Recommendation #2:** Subsequent to the incident, Spire has taken action to update its damage prevention program from MGE O&M Standard 3120H, Damage Prevention Program to SOP 220.C. In order to ensure compliance with the requirements of 20 C.S.R. 4240-40.030(12)(I)3.G. to provide for temporary markings of buried pipelines in the area of excavation going forward, Staff recommends that Spire:

i. Review the Common Ground Alliance Best Practice Marking Standards and determine which practices and procedures Spire intends to incorporate by reference

within a Standard Operating Procedure (SOP) and then identify which are considered as best practices and which are procedures.

- ii. Reference a specific version of the Common Ground Alliance Best Practice Marking Standards as opposed to referencing “the current version”.
- iii. Establish a schedule for review of revisions to Common Ground Appliance Best Practice Marking Standards. Staff further recommends that Spire follow this schedule.
- iv. Reviews revisions to Common Ground Appliance Best Practice Marking Standards to determine when and how to adopt into Spire’s procedures and training requirements.

*Spire Response:* The Company has already adopted recommendations i and ii into its SOP.

The Company will add recommendation iii and iv into its next SOP update.

c. **Staff Recommendation #3:** In future annual mailers to excavators, Staff recommends that Spire include a copy of the applicable sections of Chapter 319, RSMo concerning underground facility safety and damage prevention pertaining to excavators. Subsequent to the incident, Spire has taken action to update its damage prevention program from MGE O&M Standard 3120H, Damage Prevention Program to SOP 220.C. In order to ensure that Spire’s written program complies with the requirements of 20 C.S.R. 4240-40.030(12)(I)3.B., Staff recommends that Spire amend SOP 220.C to include a requirement that the annual mailers include a copy of the applicable sections of Chapter 319, RSMo concerning underground facility safety and damage prevention pertaining to excavators.

*Spire Response:* Spire is in the process of making changes to its annual mailers to excavators to meet the requirements of 20 C.S.R. 4240-40.030(12)(I)3.B.

d. **Staff Recommendation #4:** Regarding Spire’s SOP 220.C, Staff recommends that Section 9. – Observation of Excavation Activities be amended to include all of the factors listed in 20 C.S.R. 4240-40.030(12)(I)4. as considerations for determining the need for, and extent of, inspections. Staff further recommends that Spire follow this procedure.

Spire Response: The Company can agree to include the referenced considerations in its SOP.

e. **Staff Recommendation #5:** Additionally, Staff recommends that Spire consider adding the following criteria as considerations for determining the need for, and extent of, inspections to its SOP:

- i. Mains which are 12 inches or more in diameter;
- ii. Mains operating at pressures in excess of 60 psig; and
- iii. Mains which are a single feed to large number of customers.

Spire Response: The Company agrees to adopt these recommendations into its SOP.

f. **Staff Recommendation #6:** Staff recommends Spire develop and include in its damage prevention program a description of Spire’s Ticket Management System, and procedures for its implementation. Staff further recommends Spire follow these procedures.

Spire Response: The Company agrees to adopt this recommendation as part of its SOP.

g. **Staff Recommendation #7:** In order to ensure compliance with the requirements of 20 C.S.R. 4240-40.030(12)(B)3., Staff recommends that Spire:

- i. Create or modify existing O&M procedures to define the process of how Spire personnel will conduct oversight and inspection of contractors performing the task of locating Spire’s facilities to ensure compliance with 20 C.S.R. 4240-40.030(12)(B)3. Such procedure must include but not be limited to oversight and inspection of instances when a contractor completes a locate request as a “Clear/No

Conflict”. Staff further recommends that Spire follow these new or modified procedures.

- ii. Develop and implement a written procedure for conducting random field quality audits of “Clear/No Conflict” locates and include consideration of all factors that contributed to this incident. Staff further recommends that Spire follow these new or modified procedures.

Spire Response: The Company agrees to update its SOP to include these recommended procedures.

- h. **Staff Recommendation #8:** Staff recommends that Spire create or modify existing O&M procedures to require Spire personnel and its contractors to report mapping errors of Spire’s natural gas system when identified through O&M activities, including but not limited to patrols and leakage surveys. Staff further recommends that Spire follow these new or modified procedures.

Spire Response: The Company agrees to implement this recommendation as part of its inspection procedures.

- i. **Staff Recommendation #9:** Staff recommends that Spire create or modify existing O&M procedures to investigate each field reported mapping error, and make timely correction of identified errors in the mapping system. Staff further recommends that Spire follow these new or modified procedures.

Spire Response: The Company agrees to implement this recommendation as part of its SOP.

- j. **Staff Recommendation #10:** Staff recommends that Spire create or adopt a standardized, rigorous root cause analysis procedure. This procedure should be used when conducting investigations of failures. The procedure should address how to determine the predominant reason(s) that the event occurred, and to identify where a change in behavior would

reasonably be expected to lead to a change in the outcome, i.e. avoidance of the event. Staff further recommends that Spire follow this procedure.

*Spire Response:* The Company can agree to implement a root cause analysis procedure applicable to those investigations of failures that constitute a federal incident. The Company does not have the resources that would be necessary to conduct a rigorous root cause analysis on each failure, which includes routine leak repairs and damages. By focusing on incidents with the most severe consequences, those that are federally reportable, the Company can best utilize the resources it has to conduct rigorous root cause analyses.

k. **Staff Recommendation #11:** Staff recommends that Spire update Part G3 of its PHMSA F 7100.1 Incident Report for this incident to reflect that Spire received an initial notification from the One-Call Center to request marking of underground utilities.

*Spire Response:* Spire agrees to update its Incident Report consistent with this Recommendation.

l. **Staff Recommendation #12:** Staff recommends that Spire begin including considerations of all factors contributing to incidents in its DIMP risk evaluation going forward.

*Spire Response:* The Company can agree to include all factors contributing to incidents as part of its DIMP threat evaluation.

m. **Staff Recommendation #13:** Staff recommends that the Commission order Spire to file an action plan, by December 31, 2021, which addresses the recommendations (numbered 1-11 above). Staff further recommends that the Commission order Spire to include in its action plan filing when it will effectuate that action plan. Finally, Staff recommends that:

- i. The Commission require that the action plan include Spire's proposed resolution for addressing each recommendation and the timeframe for implementing the resolution.

- ii. The Commission require Spire to file updates every six months as to how the plan has been effectuated.

Spire Response: The Company is able to file an action plan addressing Staff's recommendations by December 31, 2021. However, Spire requests the Commission limit the action plan only as to those items that require any additional action by the Company, specifically recommendations: 1, 2 iii and iv, and 3-11. Further the Company requests that the Commission limit the scope of Staff Recommendation #10, to federal incidents for the reasons stated within this response. The Company can also agree to file updates every six months until the plan has been effectuated; after this point such updates will no longer be needed.

**WHEREFORE,** Spire hereby requests that the Commission accept Spire's response to Staff's Report.

Respectfully submitted,

/s/ Goldie T. Bockstruck  
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**ATTORNEY FOR SPIRE MISSOURI INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties to this case on 13<sup>th</sup> day of September 2021 by electronic mail.

/s/ Goldie T. Bockstruck

