

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

In the Matter of the Application of Laclede)
Gas Company to Transfer an Asset to Spire)
Pipeline, Inc.)

Case No. GM-2017-0018

FINAL STATUS REPORT AND MOTION TO DISMISS

COMES NOW Spire Missouri Inc., formerly known as Laclede Gas Company (“Spire Missouri” or “Company”) and files this Final Status Report and Motion to Dismiss, respectfully stating as follows:

1. On October 31, 2016, Spire Missouri filed an application requesting authority to sell and transfer to an affiliate, Spire STL Pipeline LLC (“STL Pipeline”), approximately eight miles of the easternmost nine miles of an existing 20-inch steel pipeline currently owned and operated by Spire Missouri in North St. Louis County (the “880 Line Segment”).¹ The sale would have permitted the 880 Line Segment to be incorporated into a new interstate pipeline.

2. On February 16, 2017, the Company filed a motion to stay these proceedings, informing the Commission and the parties that STL Pipeline had been exploring other potential routes for constructing the pipeline and was strongly considering an alternative to the 880 Line Segment.

3. On April 10, 2017, the Commission issued its Order Staying Proceedings in this case. Pursuant to that order, on May 1, 2017, the Company filed a status report stating that STL Pipeline had amended its application to inform the FERC that the purchase of the Company’s Line 880 was no longer the preferred alternative.

4. Since May 1, 2017, the Company has filed additional status reports, but had no events of note to report. On September 14, 2018, Judge Woodruff issued an order noting that a

¹ The length of the 880 Line Segment to be purchased was later rounded down to seven miles.

status report had not been filed by August 1, 2018, and requesting a status report or case dismissal by October 1. The Company appreciates the Judge's accommodation in extending the filing date to October 1.

5. The Company reports that, on August 3, 2018, the FERC approved STL Pipeline's application. Spire Missouri can now confirm that it no longer seeks to transfer the 880 Line to STL Pipeline, and therefore has no further need for the Commission approval requested in this case.

6. Accordingly, Spire Missouri moves to dismiss this case. Normally, the Company would simply file a Notice of Dismissal under Commission Rule 4 CSR 240-2.116(1), which permits an applicant to dismiss its case without Commission order at any time before prepared testimony has been filed. After prepared testimony is filed, the applicant cannot dismiss its case unilaterally, but can dismiss with leave of the Commission. The intent of this rule is to provide an applicant the autonomy to withdraw its case unless the case is past a certain point in the proceedings where the Commission or other parties may have developed an interest in its continuation or termination.

7. This case is very early in the process. There has been no procedural conference; there is no procedural schedule, and there is no date set for the filing of prepared testimony. As a result, it would appear that Spire Missouri should be able to dismiss this case unilaterally. However, the Company did provide written testimony with, and in support of, its application. This testimony was not scheduled prepared testimony, and it could be properly viewed as simply part of the application, that is, an extended version of the verified affidavit required of all applications.² In short, the testimony accompanying the Company's application is not the type of testimony that

² See 4 CSR 240-2.060(1)(M)

is contemplated in Rule 2.116 as terminating an applicant's unilateral right to dismiss its application.

8. However, out of an abundance of caution, the Company is filing this motion in the event the Commission believes that leave of the Commission is still required in order to dismiss the application. As stated above, the Company seeks dismissal because it no longer intends to transfer its 880 Line to the STL Pipeline.

WHEREFORE, Spire Missouri respectfully requests that the Commission accept this final status report and dismiss this case.

Respectfully Submitted,

/s/ Rick E. Zucker

Rick E. Zucker, MBN 49211

Zucker Law LLC

14412 White Pine Ridge

Chesterfield, MO

314-575-5557 (telephone)

E-mail: zuckerlaw21@gmail.com

/s/ Michael C. Pendergast

Michael C. Pendergast, MBN 31763

Of Counsel, Fischer & Dority, P.C.

423 Main Street

St. Charles, MO 63301

(314) 288-8723 (telephone)

E-mail: mcp2015law@icloud.com

Certificate of Service

I hereby certify that a copy of the foregoing has been emailed to the parties of record in this case on this 17th day of September, 2018.

/s/ Marcia Spangler