

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

In the Matter of Spire Missouri Inc. d/b/a Spire)
And Gateway Infrastructure, LLC Concerning) File No. GS-2023-0372
A Natural Gas Incident at Miller’s Court)
In O’Fallon, Missouri)

SPIRE MISSOURI INC’S RESPONSE TO STAFF’S INCIDENT REPORT

COMES NOW Spire Missouri Inc. (“Spire Missouri” or “Company”) and pursuant to the Missouri Public Service Commission’s (“Commission”) May 3, 2023 Order, files this Response, and respectfully stating as follows:

1. On March 11, 2022, JDK Cable Contractors, performing boring work on behalf of and at the direction of Gateway Infrastructure, LLC (“Gateway”), struck Spire Missouri’s natural gas main assets on Millers Court in O’Fallon, Missouri. This resulted in the explosion of a residence, and fire and damage to multiple other residences.

2. Safety Engineering Staff of the Missouri Public Service Commission (“Staff”) investigated the incident and issued data requests to both Spire Missouri and Gateway.

3. On April 26, 2023, Staff filed its *Incident Report* (“Report”) and requested that the Commission open a docket for accepting this Report and order Spire Missouri and Gateway to respond to Staff’s Report.

4. On May 3, 2023, the Commission issued an Order accepting Staff’s initial report and directing Spire to respond no later than May 30, 2023.

5. In its Report, Staff concluded, based on sufficient facts and information, that Spire Missouri did not violate any statutes, Commission Rules, or Commission Orders. On the other hand, Staff concluded that Gateway violated 20 CSR 4240-18.010, as it failed to maintain at least 12-inches of separation between communications facilities and gas lines, and violated Section 319.037.2. RSMo., as the contractor working on behalf of Gateway failed to confirm the horizontal

and vertical location of the natural gas main in the vicinity of the excavation. Spire Missouri agrees with Staff's findings and conclusions.

4. Spire Missouri appreciates Staff's findings regarding its emergency handling response time and procedures. The Company agrees with all of Staff's recommendations and has already begun acting on several of the recommendations listed in Attachment A.

WHEREFORE, Spire Missouri respectfully requests that the Commission accept this Response to Staff's Incident Report in compliance with the Commission's May 3, 2023 Order.

Respectfully submitted,

/s/ *J. Antonio Arias*

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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 30th day of May, 2023.

/s/ Lew Keathley

ATTACHMENT A

GS-2023-0372

SPIRE MISSOURI INC.'S RESPONSE TO MISSOURI PUBLIC SERVICE

COMMISSION STAFF'S INCIDENT REPORT

BACKGROUND

On April 26, 2023, the Staff of the Missouri Public Service Commission ("Staff") filed a motion asking the Missouri Public Service Commission ("Commission") to open an investigation file regarding a natural gas incident that occurred on March 11, 2022 on Millers Court in O'Fallon, Missouri. Staff conducted a thorough investigation and filed its "Staff Incident Report" on May 3, 2023. Staff states that the incident occurred when JDK Cable Contractors was performing work on behalf of Gateway Infrastructure, LLC, and struck Spire Missouri Inc.'s ("Spire Missouri" or "Company") natural gas main, resulting in an explosion and fire that damaged multiple residences. In its report, Staff found that Spire Missouri did not violate any statutes, Commission Rules, or Commission Orders, and that Spire Missouri's emergency response actions were consistent with the requirements of its written emergency procedures, and Commission Rules.

The Company will address each of Staff's recommendations in the report and looks forward to implementing the recommendations of Staff and continuing to provide safe, reliable service to its customers. Spire Missouri has listed each recommendation from Staff's Incident Report, and the Company's associated response.

SPIRE MISSOURI'S RESPONSE

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 CSR 4240-40.020(3)(C).

Spire Missouri agrees with Staff's recommendation. Spire has included this in SOP100.0.

2. Staff recommends that Spire evaluate actions that Spire can take to minimize damages to its natural gas pipelines by excavations involving boring and directional drilling. Staff further recommends that Spire submit the results of the evaluation and a schedule for actions to the Commission.

Spire Missouri agrees with Staff's recommendation. Spire Missouri has recently implemented a new ticket management system in April 2023 and is piloting a risk model to prioritize excavator communication and onsite monitoring of excavations based on risk. In addition, Spire Missouri introduced an additional line locate company in May 2023 in a portion of the Spire Missouri East territory. Spire Missouri continues to reinforce damage prevention efforts through direct communication with excavators from the Damage Prevention team and annual public awareness mailings and material from the Public

Awareness team. The Company is committed to providing a status report of its evaluation within 60 days and more detailed analysis and reporting in the near future.

3. Staff recommends that following an evaluation by Spire of actions that Spire can take to minimize damages to its natural gas pipelines by excavations involving boring and directional drilling, Spire seek to modify the Commission Order in Case GS-2007-0130 accordingly.

Spire Missouri agrees to seek modification to the Commission Order in Case GS-2007-0130.

4. Staff recommends that the Commission send an updated Advisory Notice to telecommunication companies regarding directional drilling. See an example of such an Advisory Notice in Appendix C.

Spire Missouri agrees with Staff's recommendation.

5. Staff recommends that Gateway review, evaluate and update, as necessary, its contractor procurement and oversight procedures and practices to ensure that telecommunications cables installed on behalf of Gateway are installed in accordance with 20 CSR 4240-18.010. Staff further recommends that Gateway submit the results of the evaluation and a schedule for modifications to the Commission.

Spire Missouri agrees with Staff's recommendation. The Company appreciates Staff's recommendation for contractors to improve damage prevention performance.

6. Staff recommends that Gateway evaluate actions that Gateway can take to minimize damages to natural gas pipelines by excavations when installing telecommunications cables. Staff further recommends that Gateway submit the results of the evaluation and a schedule for actions to the Commission.

Spire Missouri agrees with Staff's recommendation.

CONCLUSION

Spire Missouri appreciates Staff's investigation of the incident that occurred on Millers Court. We are committed to providing safe, reliable service to our customers and look forward to working with Staff to make improvements to our processes as needed.