



the Temporary Certificate.”<sup>4</sup> Symmetry, however, agrees with Spire STL that the Commission should clarify that the Temporary Certificate does not prohibit Spire STL from contracting with potential shippers, such as Symmetry, for service that uses only Spire STL’s existing available capacity offered under the existing rate schedules set forth in Spire STL’s existing tariff.

Symmetry is a major natural gas supplier to St. Louis-area end-use customers as well as to customers directly connected to the Enable Mississippi River Transmission, LLC (“MRT”) system, the pipeline from which Symmetry sources its gas supplies in the St. Louis metropolitan area. Symmetry currently serves fifty St. Louis area end users either directly or indirectly through third-party suppliers, and it also holds, or is agent for, approximately fifty-five Firm Transportation Service contracts on MRT. Most of these contracts involve transportation services to customers in the St. Louis area. The customers served by Symmetry are a combination of large and small commercial and industrial end-user customers, including primary and secondary schools, prisons, hospitals, critical infrastructure and industry users, few of which have alternate fuel capabilities.

Symmetry has previously explained that Spire STL’s capacity was necessary to help Symmetry maintain service for its customers during Winter Storm Uri in February 2021.<sup>5</sup> Symmetry is currently interested in contracting with Spire STL for interruptible service, and potentially firm service, that would utilize Spire STL’s existing available

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<sup>4</sup> See Request for Expedited Clarification, or in the Alternative, Rehearing of Spire STL Pipeline LLC, Docket No. CP17-40-009 at P 2 (October 14, 2021) (“Request for Clarification”).

<sup>5</sup> Motion to Intervene and Comments in Support of Symmetry Energy Solutions, LLC at 4, Docket No. CP17-40-007 (August 23, 2021) (“Symmetry Comments”) (describing the assistance provided by Spire STL to Symmetry in February 2021 and noting that a repeat of last year’s winter storm could cause substantial harm to Symmetry’s customers and other gas consumers in the St. Louis area).

capacity. Symmetry would use this capacity to support its marketing operations in the St. Louis area as it prepares for the upcoming winter heating season .

The Temporary Certificate provides for Spire STL’s continued operation “under the previously approved terms, conditions, authorizations, and tariff,” but “does not permit Spire to engage in any construction or to provide any *new service*.”<sup>6</sup> Symmetry supports Spire STL’s request that the Commission clarify that this prohibition on “new service” acts only to prevent Spire STL from creating new pipeline services and rate schedules that are not offered under its existing tariff or from constructing and offering service on newly-created capacity.<sup>7</sup> The Commission should specifically clarify that Spire STL is not prohibited from entering into new contracts that would utilize only Spire STL’s existing available capacity pursuant to the terms and conditions of Spire’s existing rate schedules that are offered under Spire STL’s existing tariff.<sup>8</sup>

The requested clarification is consistent with the public interest because it will prevent Spire STL’s existing capacity from lying fallow as shippers and potential shippers prepare for the upcoming winter heating season. Spire STL’s capacity provides flexibility that allows additional gas supplies into the St. Louis area during the winter-heating season. This supply flexibility benefits Symmetry and its marketing customers as well as other customers in the St. Louis area as demonstrated in Symmetry’s previously-filed comments.<sup>9</sup> The requested clarification would ensure that this flexibility remains available

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<sup>6</sup> Temporary Certificate at P 8 (emphasis added).

<sup>7</sup> See Request for Clarification at 11-12 (“Spire STL understands the Commission’s prohibition in the Temporary Certificate against providing or commencing “new service” to preclude the filing of any new rate schedule to implement a new service, like storage or no-notice service, which is currently not offered by Spire STL on the STL Pipeline.”)

<sup>8</sup> See Request for Clarification at 3 (“Specifically, Spire STL seeks clarification that (1) Spire STL may continue to provide open-access transmission service under its Tariff and existing Rate Schedules; and (2) Spire STL may enter into new contracts for the currently available unsubscribed capacity.”)

<sup>9</sup> Symmetry Comments at 4-5.

during preparations for the upcoming winter heating season. Considering the experiences of February 2021, Symmetry continues to believe that now is not the time to restrict sources of natural gas resources to Missouri customers. The requested clarification would help prevent such unnecessary restrictions.

### **CONCLUSION**

For the reasons discussed above, Symmetry respectfully requests that the Commission grant Spire STL's requested clarification.

Respectfully submitted,

*/s/ Stacy Williams*

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding pursuant to 18 C.F.R. § 385.2010(f)(2).

Dated at Washington, D.C., this 1st day of November 1, 2021.

/s/ *Stephanie B. Fishman*

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