

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 21<sup>st</sup> day of  
April, 2022.

In the Matter of the Application of Spire	)	
Missouri Inc. d/b/a Spire to Change its	)	<b><u>File No. GO-2022-0171</u></b>
Infrastructure System Replacement	)	Tracking No. YG-2022-0192
Surcharge in its Spire Missouri East and	)	
West Service Territories	)	

**ORDER APPROVING UNANIMOUS  
STIPULATION AND AGREEMENT**

Issue Date: April 21, 2022

Effective Date: May 1, 2022

This case involves Spire Missouri Inc.'s, application requesting changes to its Spire Missouri East and Spire Missouri West Infrastructure System Replacement Surcharges (ISRS). Spire Missouri also requested waiver of Commission's sixty-day notice of case filing requirement. On April 11, 2022, all parties to the case – Spire Missouri, the Staff of the Commission (Staff), and the Office of the Public Counsel (OPC) (collectively referred to as "Signatories") – filed a *Unanimous Stipulation and Agreement* (Agreement).

The Agreement resolves the ISRS revenue requirement to be approved by the Commission. The Signatories agreed that an ISRS revenue requirement of \$3,140,682 should be approved for Spire East, and that an ISRS revenue requirement of \$5,363,495 should be approved for Spire West. Thus, the total ISRS revenue requirement in this case for Spire Missouri is \$8,504,177.

The Signatories further agreed that the revenue requirement shall be allocated to the rate classes pursuant to the rate design described in Staff's Memorandum filed on

March 23, 2022. The Signatories also agreed that the rates implemented as a result of the Agreement should be made effective between April 23, 2022, and May 15, 2022.

The Signatories also agreed that the capitalized overhead payroll amounts of \$1,906,782 for Spire East and \$3,047,355 for Spire West should be removed from the ISRS rate base and deferred into a regulatory asset.

After reviewing the unanimous Agreement, the Commission determines that its terms are a reasonable resolution of the issues addressed by the Agreement and it should be approved.

The Commission will grant Spire Missouri's request for waiver of the sixty-day case filing notice requirement under 20 CSR 4240-4.017. The Commission finds good cause exists for waiver based on Spire Missouri's verified declaration that it had no communication with the Commission regarding substantive issues likely to arise in this file within 150 days before filing its application.

The Signatories have agreed that the rates implementing the Agreement should be made effective between April 23, 2022, and May 15, 2022. To allow the parties time to file and review a tariff sheet in compliance with this Order, and to make the implementing rates effective within the prescribed timeframe, the Commission finds it reasonable to make this order effective in less than thirty days.

**THE COMMISSION ORDERS THAT:**

1. The sixty-day notice of case filing requirement is waived for good cause found pursuant to 20 CSR 4240-4.017(1)(D).

2. The *Unanimous Stipulation and Agreement* filed on April 11, 2022, is approved as a resolution of the specific issues set out in that agreement. The signatory parties are ordered to comply with the terms of the agreement. A copy of the *Unanimous Stipulation and Agreement* is attached to this order and incorporated by reference.

3. Spire Missouri is authorized to change its ISRS sufficient to recover ISRS revenues of \$3,140,682 for Spire East, and \$5,363,495 for Spire West, equaling total ISRS revenues of \$8,504,177.

4. Any non-operational overheads removed from the ISRS rate base and deferred into the regulatory asset account as a result of the Agreement will be reviewed to determine the appropriate treatment by the Commission during Spire's current rate case, File No. GR-2022-0179.

5. Nothing in this order concerning non-operational overheads shall be considered a finding by the Commission of the value or prudence for ratemaking purposes of the properties, transactions and expenditures herein involved. The Commission reserves the right to consider any ratemaking treatment to be afforded the properties, transactions and expenditures herein involved in a later proceeding.

6. The tariff sheet filed by Spire Missouri on December 23, 2021, and assigned Tariff Tracking No. YG-2022-0192, is rejected.

7. Spire Missouri is authorized to file a new tariff sheet to recover the revenue authorized in the Agreement and restated in this order.

8. This order shall become effective on May 1, 2022.



**BY THE COMMISSION**

*Morris L. Woodruff*

Morris L. Woodruff  
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and  
Kolkmeier CC., concur.

Hatcher, Regulatory Law Judge

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

In the Matter of the Application of )  
Spire Missouri, Inc. d/b/a Spire to )  
Change its Infrastructure System )  
Replacement Surcharge in its Spire )  
Missouri East and West Service )  
Territories )

Case No. GO-2022-0171

**UNANIMOUS STIPULATION AND AGREEMENT**

**COMES NOW** the Missouri Office of the Public Counsel (“the OPC”); Spire Missouri Inc. (“the Company” or “Spire”), on behalf of itself and its two operating units, Spire East and Spire West; and the Staff of the Missouri Public Service Commission (“Staff”) (collectively “the signatories”) and, pursuant to Commission Rule 20 CSR 4240-2.115, presents this *Unanimous Stipulation and Agreement* for approval by the Missouri Public Service Commission (“the Commission”) as a resolution of the issues of the ISRS revenue requirement to be approved by the Commission in these cases. In support of this *Unanimous Stipulation and Agreement*, the signatories state as follows:

1. **Issues Settled:** The signatories agree and intend this *Unanimous Stipulation and Agreement* to settle only the issues of the ISRS revenue requirement to be approved by the Commission in the above captioned case. This settlement is the product of extensive negotiations aimed at an amicable resolution of the present case and none of the signatories to this *Unanimous Stipulation and Agreement* concede any issue of law or fact not expressly stated herein. In the event that the Commission

orders additional evidence submitted in support of this stipulation, the signatories agree that Staff may submit into evidence a report demonstrating the calculation of the revenue requirements found herein but that no party to this stipulation shall be determined to have conceded the ISRS eligibility or lack thereof of any costs included or not included in that report or to be otherwise bound to the findings of that report.

2. **ISRS Revenue Requirement:** The signatories agree that an ISRS revenue requirement of \$3,140,682 be approved for Spire East and an ISRS revenue requirement of \$5,363,495 be approved for Spire West. The total ISRS revenue requirement for Spire Missouri is \$8,504,177.

3. **Rate Design and Effective Date of Rates:** The revenue requirement shall be allocated to the rate classes pursuant to the rate design described in Staff's Memorandum filed on March 23, 2022. In no event shall the rates implemented from this stipulation and agreement be made effective sooner than April 23, 2022 and no later than May 15, 2022. Attached to this Stipulation and Agreement are ISRS rates by rate class that incorporate the agreed upon revenue requirement and rate design for Spire East and Spire West.

4. **Capitalized Overhead Payroll Amount:** The capitalized overhead payroll amounts of \$1,906,782 for Spire East and \$3,047,355 for Spire West that were removed from the ISRS rate base by Staff after applying Staff's recommended transfer rate, shall be deferred into a regulatory asset. The parties to Spire Missouri's concurrent rate filing, Case No. GR-2022-0179, shall be unrestricted in

the ability to make recommendations for the ratemaking treatment of the deferred costs.

5. **Limitation of Scope:** This *Unanimous Stipulation and Agreement* is being entered into for the purpose of disposing of the issues specifically addressed herein. In presenting this *Unanimous Stipulation and Agreement*, none of the signatories shall be deemed to have approved, accepted, agreed, consented or acquiesced to any procedural principle, and none of the signatories shall be prejudiced or bound in any manner by the terms of this *Unanimous Stipulation and Agreement*, whether approved or not, in this or any other proceeding, other than a proceeding limited to the enforcement of the terms of this *Unanimous Stipulation and Agreement*, except as otherwise expressly specified herein. The signatories further understand and agree that the provisions of this *Unanimous Stipulation and Agreement* relate only to the specific matters referred to in this *Unanimous Stipulation and Agreement*, and no signatory waives any claim or right which it otherwise may have with respect to any matter not expressly provided for in this *Unanimous Stipulation and Agreement*. The signatories further understand and agree that no party to this *Unanimous Stipulation and Agreement* shall assert the terms of this Stipulation as a precedent in any future proceeding.

6. **Interdependence and Non-Severability:** This *Unanimous Stipulation and Agreement* has resulted from negotiations and the terms hereof are interdependent. If the Commission does not approve this *Unanimous Stipulation and Agreement* in total, or approves it with modifications or conditions to which a

signatory objects, then this *Unanimous Stipulation and Agreement* shall be void and no signatory shall be bound by any of its provisions. The agreements herein are specific to this proceeding and are made without prejudice to the rights of the signatories to take other positions in other proceedings except as otherwise noted herein. If the Commission does not unconditionally approve this *Unanimous Stipulation and Agreement* without modification, and notwithstanding its provision that it shall become void, neither this *Unanimous Stipulation and Agreement*, nor any matters associated with its consideration by the Commission, shall be considered or argued to be a waiver of the rights that any signatory has for a decision in accordance with RSMo. section 536.080 or Article V, Section 18, of the Missouri Constitution, and the signatories shall retain all procedural and due process rights as fully as though this *Unanimous Stipulation and Agreement* had not been presented for approval, and any suggestions or memoranda, testimony or exhibits that have been offered or received in support of this *Unanimous Stipulation and Agreement* shall become privileged as reflecting the substantive content of settlement discussions and shall be stricken from and not be considered as part of the administrative or evidentiary record before the Commission for any further purpose whatsoever.

7. **Waiver of Procedural Rights:** If the Commission unconditionally accepts the specific terms of this *Unanimous Stipulation and Agreement* without modification, the signatories waive, with respect to the issues resolved herein, their respective rights: (1) to call, examine and cross-examine witnesses pursuant to RSMo.



section 536.070(2); (2) to present oral argument and/or written briefs pursuant to RSMo. section 536.080.1; (3) to the reading of the transcript by the Commission pursuant to section RSMo. 536.800.2; (4) to seek rehearing pursuant to RSMo. section 386.500; and (5) to judicial review pursuant to RSMo. section 386.510, provided however that the Verified Applications and Updates submitted by Spire Missouri on behalf of Spire East and Spire West shall be received into evidence for the sole purpose of providing an evidentiary foundation for this Unanimous Stipulation and Agreement. These waivers apply only to a Commission order respecting this *Unanimous Stipulation and Agreement* issued in this above-captioned cases and do not apply to any issues or matters raised in any prior or subsequent Commission order, or any issue or other matters not explicitly addressed by this *Unanimous Stipulation and Agreement*.

8. **Merger and Integration:** This *Unanimous Stipulation and Agreement* contains the entire agreement of the signatories concerning the issues addressed herein. The intent of the signatories to this *Unanimous Stipulation and Agreement* has been fully and exclusively expressed in this document and the attachments appended hereto.

WHEREFORE, the signatories respectfully request the Commission issue an order approving this *Unanimous Stipulation and Agreement* as a resolution of the issues of the ISRS revenue requirement to be approved by the Commission in the above captioned case.

/s/ Goldie T. Bockstruck

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**Counsel for Spire Missouri Inc.**

/s/ John Clizer

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**Counsel for  
Missouri Office of the Public Counsel**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Unanimous Stipulation and Agreement was served on all counsel of record on this 11<sup>th</sup> day of April, 2022 by electronic mail.

/s/ Goldie T. Bockstruck

Goldie T. Bockstruck

**/s/ Jamie S. Myers**

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**Attorney for Staff of the  
Missouri Public Service Commission**



Spire Missouri East  
 ISRS - Case # GO-2022-0171  
 ISRS Rate Design

Spire Missouri East  
 ISRS Rate Design

Total ISRS Revenues 3,140,682

<u>Customer Rate Class</u>	<u>Number of Customers*</u>	<u>Customer Charge</u>	<u>Ratio to Residential Customer Charge</u>	<u>Weighted Customer Nos.</u>	<u>Customer Percentage</u>	<u>Current ISRS Charge</u>	<u>Current ISRS Revenues</u>
Residential	617,236	22.00	1.0000	617,236	84.8110%	0.36	2,663,644
SGS	35,106	37.31	1.6959	59,537	8.1806%	0.61	256,926
LGS	5,616	133.25	6.0568	34,015	4.6738%	2.18	146,790
LV	39	974.62	44.3009	1,728	0.2374%	15.93	7,456
Unmetered Gas Light	72	6.40	0.2909	21	0.0029%	0.10	90
General L.P	36	19.12	0.8691	31	0.0043%	0.31	135
Large Volume Transportation	157	2,131.41	96.8823	15,211	2.0900%	34.84	65,640
<b>Total</b>	<b>658,262</b>				<b>100.0000%</b>		<b>3,140,682</b>

\*Average customers - GR-2021-0108

\*\*Single customers with multiple accounts located on contiguous property.

Spire Missouri West  
 ISRS - Case # GO-2022-0171  
 ISRS Rate Design

Spire Missouri West  
 ISRS Rate Design

Current ISRS Revenues 5,363,495

Customer Rate Class	Number of Customers*	Customer Charge	Ratio to Residential		Customer Percentage	Current ISRS Charge	Current ISRS Revenues
			Customer Charge	Weighted Customer Nos.			
Residential	493,298	20.00	1.0000	493,298	81.2504%	0.74	4,357,859
SGS	29,393	37.20	1.8600	54,671	9.0048%	1.37	482,971
LGS	3,845	161.39	8.0695	31,027	5.1104%	5.94	274,099
LV	14	1,357.95	67.8975	951	0.1566%	49.98	8,397
LGS Transport	225	180.80	9.0400	2,034	0.3350%	6.66	17,969
LV Transport	439	1,145.90	57.2950	25,153	4.1428%	42.18	222,201
<b>Total</b>	<b>527,214</b>				<b>100.0000%</b>		<b>5,363,495</b>

\*Average customers - GR-2021-0108

\*\*Single customers with multiple accounts located on contiguous property.


**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 21<sup>st</sup> day of April, 2022.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**April 21, 2022**

**File/Case No. GO-2022-0171**

**Missouri Public Service  
Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.