

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 20th
day of March, 2019

In the Matter of Spire Missouri, Inc.'s Filing of)	<u>File No. GO-2019-0255</u>
Its Proposed Weather Normalization)	Tariff Filing No. JG-2019-0164
Adjustment Rider (WNAR) Tariff Sheets)	Tariff Filing No. JG-2019-0165

**NOTICE OF CONTESTED CASE
AND ORDER SUSPENDING TARIFFS**

Issue Date: March 20, 2019

Effective Date: March 20, 2019

On March 6, 2019, the Staff of the Missouri Public Service Commission (“Staff”) filed a *Motion to Suspend Tariff Sheets* (“Motion”). The Motion alleged that on March 1, 2019, Spire Missouri Inc. d/b/a/ Spire (“Company”) had filed revised tariff sheets, P.S.C. MO, No. 7 Second Revised Sheet No. 13.2 Cancelling P.S.C. MO. No. 7 First Revised Sheet No. 13.2 (JG-2019-0164 Spire East) and P.S.C. MO No. 8 Second Revised Sheet No. 13.2 Cancelling P.S.C. MO. No. 8 First Revised Sheet No. 13.2 (JG-2019-0165 Spire West) in regards to the Company’s April 1, 2019 WNAR rate adjustment. These revised tariff sheets have an issue date of March 1, 2019, and an effective date of April 1, 2019, as reflected by Sheet No. 13.2 in both tariff books. The April 1 Revised Tariff Sheets are to reflect the April adjustment made pursuant to the Company’s WNAR for the six-month period ending January 31, 2019.

Staff’s Motion states that because of a potential commonality of issues and law, the treatment of the April 1 Revised Tariff Sheets should await the Commission’s disposition of File Nos. GO-2019-0058 and GO-2019-0059. The Missouri Public Service

Commission will give notice of a contested case and suspend the April 1 Revised Tariff Sheets.

A. Suspension

The April 1 Revised Tariff Sheets' effective dates are April 1, 2019. That date allows insufficient time for the Commission to determine whether the tariffs are just and reasonable, as the law requires,¹ so the Commission will suspend the tariffs.² The Commission may suspend a tariff for 120 days beyond the tariff's effective date.³ If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.⁴

B. Notice of Contested Case

Suspension of the tariffs may occur only pending a "full" hearing and decision on the tariffs' propriety.⁵ The provision for a full pre-decision hearing signifies that this action is now a "contested case."⁶ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁷ and a decision without a hearing,⁸ including by stipulation and agreement. This order and notice does not require any party to file an answer. The Commission's discovery regulations are at Commission regulation 4 CSR 240-2.090.

¹ Section 393.190.1, RSMo Supp. 2013.

² Section 393.150, RSMo 2000.

³ Section 393.150.1, RSMo 2000.

⁴ Section 393.150.2, RSMo 2000.

⁵ Section 393.150.1, RSMo 2000.

⁶ Section 536.010(4), RSMo Supp. 2013.

⁷ Section 536.060(3), RSMo 2000.

⁸ 4 CSR 240-2.115.

THE COMMISSION ORDERS THAT:

1. Spire Missouri Inc.'s revised tariff sheets P.S.C. MO. No. 7 Second Revised Sheet No. 13.2 Cancelling P.S.C. MO No. 7 First Revised Sheet No. 13.2 (JG-2019-0164 Spire East) and P.S. MO No. 8 Second Revised Sheet No. 13.2 Cancelling P.S.C. MO. No. 8 First Revised Sheet No. 13.2 (JG-2019-0165 Spire West) are suspended. The specified tariff sheets are suspended from April 1, 2019, until October 1, 2019.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and
Coleman, CC., concur.

Graham, Regulatory Law Judge