

**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 February, 2019.

In the Matter of the Application of Spire Missouri, Inc.)
d/b/a Spire for a Certificate of Convenience and)
Necessity to Construct, Install, Own, Operate,)
Maintain, and Otherwise Control and Manage a)
Natural Gas Distribution System to Provide Gas Service)
To a Single Customer in Barton County as an)
Expansion of its Existing Certificated Area)

File No. GA-2019-0226

**ORDER GRANTING CERTIFICATE
OF CONVENIENCE AND NECESSITY**

Issue Date: February 20, 2019

Effective Date: March 2, 2019

Procedural History

On February 5, 2019¹, Spire Missouri, Inc. (“Spire”) applied for a certificate of convenience and necessity (“CCN”) to serve a single customer in Barton County, Missouri. This customer only recently became aware that Spire serves Barton County. On behalf of this customer, Spire requests an order by February 11, 2019, or as soon thereafter as possible, so this customer may know when he can order irrigation equipment. Spire further requested a waiver of the Commission’s 60-day notice requirement found in Commission Rule 4 CSR 240-4.017.

¹ Calendar references are to 2019.

The Staff of the Commission filed its Recommendation on February 15. Staff recommends that the Commission grant the certificate, subject to three conditions. The conditions are that the Commission should:

- reserve all rate making determinations regarding the revenue requirement impact of this service area extension request until the Company's next general rate making proceeding.
- require Spire to update Tariff Sheet No. 20.1 incorporating the requested Sections for Barton County provided above.
- require Spire to file a certified copy of the document granting it the necessary consent or franchise or an updated affidavit by Spire attesting that it has received the necessary county consent for the requested service territory expansion, consistent with Commission Rule 4 CSR 240-3.205(1)(D) and 240-3.205(2).

The Office of the Public Counsel responded on February 15, concurring in Staff's Recommendation.

Decision

Spire is a gas corporation and a public utility subject to Commission jurisdiction.² The Commission may grant a gas corporation a certificate of convenience and necessity to operate after determining that the construction and operation are either "necessary or convenient for the public service."³ The Commission has stated five criteria that it will use to make this determination:

- 1) There must be a need for the service;
- 2) The applicant must be qualified to provide the proposed service;
- 3) The applicant must have the financial ability to provide the service;
- 4) The applicant's proposal must be economically feasible; and
- 5) The service must promote the public interest.⁴

² Section 386.020(18), (43) RSMo 2016.

³ Section 393.170, RSMo.

⁴ *In re Tartan Energy Company*, 3 Mo. P.S.C. 173, 177 (1994).

Based on the verified pleadings, the Commission finds the application for a certificate of convenience and necessity to provide gas service meets the above listed criteria.⁵ The application will be granted. This order will be given a ten-day effective date because the application is unopposed, and the Commission does not wish to cause undue delay.

Commission Rule 4 CSR 240-4.017(1)(D) states that a waiver may be granted for good cause. Good cause exists in this case. Spire has had no communication with the office of the Commission within the prior 150 days regarding any substantive issue likely to be in this case, other than those pleadings filed for record. Accordingly, for good cause shown, the Commission waives the 60-day notice requirement of Commission Rule 4 CSR 240-4.017(1).

THE COMMISSION ORDERS THAT:

1. The Motion for Expedited Consideration is granted.
2. Commission Rule 4 CSR 240-4.017(1) is waived.
3. Spire Missouri, Inc. is granted permission, approval, and a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain gas plant as more particularly described in its application and Staff Recommendation.
4. The certificate of convenience and necessity is subject to the condition that the Commission will reserve all ratemaking determinations regarding the revenue impact

⁵ The requirement for a hearing is met when the opportunity for hearing is provided and no proper party requests the opportunity to present evidence. No party requested a hearing in this matter; thus, no hearing is necessary. *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Comm'n of the State of Missouri*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

of this service area extension request until Spire Missouri, Inc.'s next general ratemaking proceeding.

5. Spire Missouri, Inc. shall update Tariff Sheet No. 20.1 incorporating the requested sections for Barton County.

6. Spire Missouri, Inc. shall file a certified copy of the document granting it the necessary consent or franchise or an updated affidavit attesting that it has received the necessary county consent for the requested service territory expansion, consistent with Commission Rule 4 CSR 240-3.205(1)(D) and 240-3.205(2).

7. This order shall become effective on March 2, 2019.

8. This file shall be closed on March 3, 2019.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

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

Pridgin, Deputy Chief Regulatory Law Judge

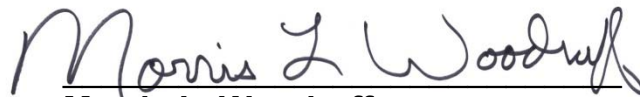
STATE OF MISSOURI

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 20th day of February 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 20, 2019

File/Case No. GA-2019-0226

**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**

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