

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

In the Matter of an Investigation into)
Spire Missouri Inc. d/b/a Spire's)
Compliance with The Commission's)
Rules Regarding Natural Gas Safety)
Found at 20 CSR 4240-40.030)
File No. GS-2022-0261

STAFF'S INVESTIGATION REPORT

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and in response to the Commission's December 26, 2023 *Order Directing Staff Report* states:

1. On March 29, 2022, Staff filed a motion requesting the Commission open a case to investigate Spire Missouri Inc. d/b/a Spire's ("Spire") compliance with the Commission's natural gas safety rules located in 20 CSR 4240-40.030, specifically related to the timeliness of Spire Missouri's efforts to locate and mark its natural gas pipelines to prevent damage to those pipelines by excavators.

2. On April 6, 2022, the Commission granted Staff's motion and ordered Staff to investigate Spire's compliance with the Commission's gas safety rules related to the the timeliness of Spire Missouri's efforts to locate and mark its natural gas pipelines to prevent damage to those pipelines by excavators. The Commission further ordered Staff to file progress reports regarding its investigation.

3. From April 6, 2022 through November 30, 2023, Staff conducted discovery in regards to: a) Spire Missouri's contract documents with parties contracted to locate Spire Missouri's underground facilities; b) Spire Missouri's expectations and challenges related to compliance with Section 319.030, RSMo.; c) Spire Missouri's procedures related to preventing and determining causes of excavation damages; d) Measures Spire

Missouri has taken to evaluate and address risks associated with excavation damages; e) Training and qualification of individuals assigned to locate and mark Spire Missouri's underground facilities; f) Spire Missouri's oversight and audits of individuals tasked with locating Spire Missouri's underground facilities;g) Current and historical data regarding Spire Missouri's timeliness of locating and marking its facilities; and h) Staffing levels for individuals assigned to locate and mark Spire Missouri's underground facilities.

4. Staff also reviewed discovery responses and submitted additional discovery requests, as well as performing field inspections and observations during this time frame as indicated in Staff's six progress reports.

5. Staff filed its most recent progress report with the Commission on November 27, 2023; wherein, Staff indicated it had submitted a detailed description of the facts to be included as Appendix A in Staff's report to Spire for its review and identification of confidential information. Staff also requested additional time to receive that information from Spire and to finalize the report.

6. On December 26, 2023, the Commission granted Staff's motion and ordered Staff to file its investigation report or a report on the progress of the investigation no later than January 31, 2024.

7. On January 19 and January 25, 2024, Spire provided its comments to Staff. Staff has considered and addressed Spire's comments.

8. Based on Staff's investigation, Staff submits the attached Staff Investigation Report and Recommendations, and its Appendix A, incorporated by reference herein, as Ordered by the Commission.

9. Staff has identified violations of Section 319.030, RSMo. and of the Commission's pipeline safety standards as promulgated in 20 CSR 4240-40.030 that are set out in Staff's Investigation Report, which warrant the filing of a Complaint against Spire. The Investigation Report also sets out recommendations related to the violations of the Commission's pipeline safety standards as set forth in 20 CSR 4240-40.030. Staff will address these violations and recommendations in the Complaint addressed above.

WHEREFORE, Staff respectfully submits and requests the Commission accept the attached Staff Investigation Report and its Appendix A pursuant to the Commission's Order issued on December 26, 2023, and grant such other and further relief as the Commission deems just in the circumstances. Staff intends to follow-up this filing with the filing of a Complaint against Spire which will contain Staff recommendations in addition to identifying and addressing violations of Commission pipeline safety rules.

Respectfully submitted,

/s/ J. Scott Stacey

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**ATTORNEY FOR STAFF OF THE
PUBLIC SERVICE COMMISSION**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted by electronic mail to counsel of record this 31st day of January, 2024.

/s/ J. Scott Stacey