

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 6<sup>th</sup> day of March, 2024.

In the Matter of the Application of Spire )  
Missouri, Inc. d/b/a Spire for a Permanent )  
Waiver from the Requirement to use a )  
“device” for Overpressure Protection in 20 )  
CSR 4240-40.030(4), (12) and (13) for )  
Certain Spire East Facilities )

**File No. GE-2023-0112**

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date: March 6, 2024

Effective Date: March 16, 2024

On September 23, 2022, Spire Missouri, Inc. d/b/a Spire filed the above-referenced request. Spire supplemented that application on July 27, 2023.

Spire asks for a permanent waiver from some of the Commission’s gas safety rules on overpressure protection. Spire asks for the waiver due to its emphasis on retiring facilities, the multiple measures currently in place to protect against overpressure, and the overall cost-benefit analysis of investing in new pressure controls versus retirement of the Low-Pressure Overpressure Protection Program system.

Spire also asks for a waiver of the Commission’s 60-day notice requirement under 20 CSR 4240-4.017. In support of that request, Spire states that good cause exists for the waiver due to it having no communication with the office of the Commission within the prior 150 days regarding the substance of this application.

On February 20, 2024, Spire and the Commission's Staff (Staff)(collectively, the Signatories) filed a Full and Unanimous Stipulation and Agreement (Stipulation).<sup>1</sup> The Signatories agree that they entered into the Stipulation to establish a plan to bring Spire into compliance with the Commission's requirements to provide adequate overpressure protection.

The Signatories agree that Spire's permanent waiver request from Commission Rules 20 CSR 4240-40.030(4)(CC), (4)(EE)(9), (4)(FF)3, (12)(M)2, and (13)(R)1.G should be denied. Staff agrees that it will not take enforcement action against Spire for non-compliance of those rules as long as Spire adheres to the Commission's order approving the Stipulation and the compliance plan contained within the Stipulation. The Stipulation further lists conditions to which Spire and Staff agree.

Commission Rule 20 CSR 240-4240.115(2) allows parties seven days to object to non-unanimous stipulations and agreements. More than seven days have elapsed since Spire and Staff filed the Stipulation, and no party has objected. Thus, the Commission may treat the Stipulation as unanimous.

The Commission finds the Stipulation reasonable, and will approve it. The Commission also finds that Spire has filed a verified declaration that it has not communicated with the Office of the Commission about this case for more than 150 days prior to filing it. Thus, Spire has provided good cause for waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1), and the Commission will waive it. Further, because no party objects to the Stipulation, the Commission finds it reasonable to make the order effective in less than 30 days.

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<sup>1</sup> Despite its name, the Office of the Public Counsel (OPC) did not sign the Stipulation. The Stipulation, however, stated that OPC did not object to the Stipulation.

**THE COMMISSION ORDERS THAT:**

1. The Stipulation is approved, and the Signatories are ordered to comply with its terms.
2. Spire's permanent waiver request from Commission Rules 20 CSR 4240-40.030(4)(CC), (4)(EE)(9), (4)(FF)3, (12)(M)2, and (13)(R)1.G is denied.
3. Commission Rule 20 CSR 4240-4.017 is waived for purposes of this case.
4. This order shall be effective on March 16, 2024.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Hahn, Ch., Rupp, Coleman, Holsman  
and Kolkmeier 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 6<sup>th</sup> day of March 2024.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**March 6, 2024**

**File/Case No. GE-2023-0112**

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

**Sincerely,**



**Nancy Dippell  
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.