

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

In the Matter of the Application of Spire Missouri)
Inc. for a Variance of its Tariff Rules and) Case No. GE-2023-0393
Regulations for Resale of Natural Gas)

**REPLY OF CITY OF KANSAS CITY, MISSOURI (“CITY”) TO
STAFF’S RESPONSE TO THE CITY’S MOTION TO CONTACT PIPELINE AND
HAZARDOUS MATERIALS SAFETY ADMINISTRATION (“PHMSA”) DIVISION
AND TO PROVIDE INFORMATION TO PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION**

COMES NOW the City of Kansas City, Missouri (“City”) and for its response to Staff,
states as follows:

1. Staff’s letter of January 19, 2024, to PHMSA seeks interpretation of the applicability of PHMSA’s regulations regarding master meeting to the City’s natural gas system at KCI; the letter did not state either Staff’s opinion, or the City’s opinion regarding the applicability of those rules. Staff Response at Paragraph 10.

2. Staff further contends that “the City’s interjection of its legal opinions to PHMSA at this time may negatively affect the timely receipt of an unbiased interpretation from PHMSA in this matter. Staff is also concerned, based on Paragraph 5 of the City’s motion, that the City may have information pertaining to this Case that it has not provided to the Commission Staff.” Staff Response at Paragraph 12.

3. The City states that there is no basis in fact or law to support the Staff position that the provision of information by the City to PHMSA would in any manner “negatively affect the timely receipt of an unbiased interpretation from PHMSA in this matter.” The Staff’s position in this regard is entirely conjecture and to the best of the knowledge of the City there is no basis of support for this Staff position.

4. The City affirmatively states that it will, without exception, provide all information to the Staff that is provided to PHMSA, if the Commission permits such information to be provided.

5. The City is hopeful that it is not the position of Staff that the City has not provided all information in its possession that has been requested by the Staff, and affirmatively states that it has done so, and will continue to do so. Information provided by the City to the Staff in response to Information Requests of the Staff has been voluminous, covering many categories of Requests that included both operation and emergency response protocols.

6. In that regard, on March 12, 2024, the City provided to Staff information received Monday, March 11, 2024 from professional engineers working for the City, information regarding Certificates of Occupancy, which would have by necessity included pressure testing of piping at the airport operated by the City.

7. It is the position of the City that there are numerous master meter gas facilities located throughout Missouri - - for example including those located at mobile home parks, office building complexes, and business and education campuses - - and that to the best of the knowledge of the City, in no instance has the Staff sought an interpretation from PHMSA that the master meters are subject to federal regulation.

WHEREFORE, the City respectfully requests that its Motion be granted and that any information that the City has available, in turn be made available to PHMSA for its consideration.

Respectfully submitted,

/s/ James P. Zakoura

James P. Zakoura, MO 66799

Special Counsel

Foulston Siefkin LLP

7500 College Blvd. Suite 1400

Overland Park, Kansas 66210

Phone: 913-253-2142

Email: jzakoura@foulston.com

Attorneys for the City of Kansas City, Missouri

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March 2024, the foregoing pleading was electronically filed with the Missouri Public Service Commission and that one copy was delivered electronically to all parties as follows:

Missouri Public Service Commission Staff Counsel Department 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 staffcounsel@psc.mo.gov	Office of the Public Counsel Marc Poston 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 opc@psc.mo.gov
Office of the Public Counsel Lindsay VanGerpen 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 lindsay.vangerpen@psc.mo.gov	Whitney Scurlock Missouri Public Service Commission Staff 200 Madison Street Jefferson City, MO 65101 whitney.scurlock@psc.mo.gov
Spire J. Antonio Arias 700 Market Street, 6 th Floor St. Louis, MO 63101 antonio.arias@spireenergy.com	Spire Matthew Aplington 700 Market Street Saint Louis, MO 63101 matt.aplinton@spireenergy.com

Sreenivasa Rao Dandamuci Director and Associate General Counsel – Regulatory Spire Missouri Inc. 700 Market Street, 6 th Floor St. Louis, MO 63101 sreenu.dandamudi@spireenergy.com	
--	--

/s/ James P. Zakoura

James P. Zakoura

Special Counsel

Foulston Siefkin LLP

Email: jzakoura@foulston.com

Attorneys for the City of Kansas City, Missouri