

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

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) **File No. GA-2024-0257**
Otherwise Control and Manage a Natural)
Gas Distribution System in Newton County)
Missouri as an Expansion of its Existing)
Certified Areas)

**ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE,
AND DIRECTING STAFF RECOMMENDATION**

Issue Date: March 25, 2024

Effective Date: March 25, 2024

On March 22, 2024, Spire Missouri Inc. (Spire) filed an application that seeks a certificate of convenience and necessity (CCN) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide natural gas service in Newton County, Missouri, as a further expansion of Spire’s existing certificated area. Spire also requests waiver of the Commission’s rule requiring 60 days’ notice prior to filing an application.

The Commission will direct notice of the application be given to the Newton County Commission and local media. The Commission will set a deadline for interested parties to intervene and direct its Staff to file a recommendation with regard to the application.

THE COMMISSION ORDERS THAT:

1. The Commission’s Data Center shall provide a copy of this order and the application to the County Commission of Newton County, Missouri.
2. The Commission’s Public Policy and Outreach Department shall make notice of this order and the application available to the media of Newton County.

3. Any person wishing to intervene in this matter shall file an application to intervene no later than April 15, 2024.

4. No later than May 9, 2024, Staff shall file a recommendation regarding Spire's application or a request for an extension of time.

5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
By delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri
on this 25th day of March, 2024.

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In the Matter of the Application of Spire)
Missouri Inc. for a Certificate of Convenience)
and Necessity to Construct, Install, Own, Operate)
Maintain, and Otherwise Control and Manage a) Case No. GA-2024-xxxx
Natural Gas Distribution System in Newton County,)
Missouri As an Expansion of its Existing)
Certified Areas.)

**APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR NEWTON COUNTY AND
REQUEST FOR WAIVER**

COMES NOW Spire Missouri Inc. (“Spire” or the “Company”), by and through its undersigned counsel, and, pursuant to Section §393.170 RSMo, and Commission Rules 20 CSR 4240-2.060 and 20 CSR 4240-3.205, respectfully submits this Application to the Missouri Public Service Commission (“Commission”) for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in Newton County, Missouri, as a further expansion of its existing certificated area. Pursuant to Commission Rule 20 CSR 4240-4.017(1)(D), the Company also requests a waiver from the notice provisions of Rule 20 CSR 4240-4.017(1). In support of its Application and request for a waiver, Spire states as follows:

1. Spire is a public utility and gas corporation incorporated under the laws of the State of Missouri, with its principal office located at 700 Market Street, St. Louis, Missouri 63101.
2. A Certificate of Good Standing evidencing Spire's standing to do business in Missouri was submitted in Case No. GF-2022-0169 and is incorporated by reference herein for all purposes. The information in such Certificate is current and correct.

3. Spire is engaged in the business of distributing and transporting natural gas to customers in Missouri as a gas corporation subject to the jurisdiction of the Commission. Spire provides gas service in Missouri to customers in the City of St. Louis and the Counties of St. Louis, St. Charles, Crawford, Jefferson, Franklin, Iron, St. Genevieve, St. Francois, Madison, Butler, Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Newton, Pettis, Platte, Ray, Saline, Stone, and Vernon.

4. Other than cases that have been docketed at the Commission, Spire has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency within the past three years that involve customer service or rates. Spire currently has one pending court action against it involving service or rates, Case No. 2316-CV15292. Spire has no annual report or assessment fees that are overdue.

5. All correspondence, communications, notices, orders, and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and to:

Trisha Lavin
Senior Regulatory Analyst
Spire Missouri Inc.
700 Market Street, 5th Floor St.
Louis, Missouri 63101
(314) 934-9838
Trisha.lavin@spireenergy.com

CERTIFICATE OF CONVENIENCE AND NECESSITY

6. Spire submits this Application for a CCN to construct, install, own, operate, maintain, and otherwise control and manage a natural gas system to provide natural gas service in

Newton County, Missouri, as a further expansion of its existing certificated area. Spire is seeking a CCN for Section 16 and Section 17, Township 26 North, Range 33 West of Newton County. Spire already has assets and is serving customers in these sections.

7. From 2018 to 2020, Spire installed 1,099 feet of 2-inch plastic main, 6,510 feet of 4-inch plastic main, 345 feet of 2-inch service, 110 feet of 1.25-inch service, and 522 feet of 0.5-inch service within Sections 16 and 17, Township 26 North, Range 33 West of Newton County. Spire is serving customers off of these assets, including **** (“Customer”).

8. In 2024 the Customer approached Spire, the natural gas service provider with a franchise to serve the nearby City of Joplin, for natural gas service for their expansion in Section 16. This expansion includes two new commercial warehouses. One of the new buildings can be served off of existing main while the other will require an extension. The extension will consist of 240 feet of 2-inch service and 910 feet of 2-inch main.

9. The legal description of the area is listed above. Attached as **Appendix 1** is a plat drawn to a scale of one-half inch (1/2") to the mile on maps comparable to county highway maps issued by the Missouri Department of Transportation or a plat drawn to a scale of two thousand feet (2,000') to the inch. Natural gas service is not currently offered by another unregulated or regulated entity in the area for which a CCN is being requested. The Company has Commission approved certificated areas adjacent to the requested sections, which are shown in the attached map in **Appendix 2**, along with the existing assets in these sections.

10. The Customer is currently served under the Company’s Small General Service tariff Sheet No. 3.3. However, in February 2024, the Customer requested, and the Company installed, a larger meter and is expected to move to the Company’s Large General Service rate class Sheet No.

4.3. The two new warehouses are also expected to be served under Sheet No. 4.3. The Company will apply the currently effective Large General Service tariff Sheet No. 4.3 rates to the customer as established in Spire's most recent rate case proceeding, GR-2022-0179, or until rates are changed by an approved tariff or a Commission Order.

11. Spire was approached by six additional customers, three commercial and three residential, along the route who wanted to convert from propane. The names and addresses of all current customers being served from the Company's mains and services is included in **Appendix 3**, which has been marked as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)1 because it contains information relating directly to specific customers.

12. Revenues and construction costs associated with the both the initial and proposed main extensions are shown in feasibility study attached as **Appendix 4**, which has been marked as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)3 and 4 because it contains information regarding market-specific information.

13. Spire holds all necessary franchises and permits from municipalities, counties, or other authorities that are required for Spire to serve the subject areas. Documentation that provides assent from the City of Joplin, Missouri is attached as **Appendix 5**.

14. Attached as **Appendix 6** is a signed affidavit of Patricia Reardon, Manager of Small Commercial and Industrial Development. for Spire Missouri, asserting that all information regarding this proposed CCN is accurate and truthful.

15. This CCN application is in the public interest because Spire Missouri is the only utility in the immediate area of these customers, has adjacent sections in this county in its certificated area, already has assets in service, and is providing safe, reliable and affordable service to the

customers. Spire Missouri's experience in the operation of natural gas systems gives it the ability to provide safe, reliable, and adequate service in an efficient manner. For all the reasons set forth herein, Commission approval of this Application is required by the public convenience and necessity.

REQUEST FOR WAIVER FROM 60-DAY NOTICE RULE

16. Commission Rule 20 CSR 4240-4.017(1) provides, in part, as follows:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

17. Rule 20 CSR 4240-4.017(1)(D) permits a party to request a waiver of the above cited rule for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case. The Company interprets this to mean that good cause is established if the filing party has had no communication with a member of the office of the Commission outside of pleadings or other public communications. Subject to that understanding, the Company has attached, as **Appendix 7**, the verified declaration of Trisha Lavin that neither the Company nor any person or entity acting on behalf of the Company, has had a communication with a member of the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in the case. For that reason, the Company requests that the Commission grant a waiver of the 60-day notice requirement for Spire Missouri's application for a CCN in Cass County.

WHEREFORE, Spire respectfully requests, for good cause shown, that the Commission

waive the notice requirement of 20 CSR 4240-4.017(1), approve this Application, issue a CCN to Spire as set forth above and in the attached appendices, and grant such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ J. Antonio Arias

Matthew Aplington, MoBar #58565
General Counsel
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700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0785 (Office)
Email: matt.aplington@spireenergy.com

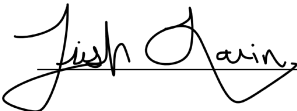
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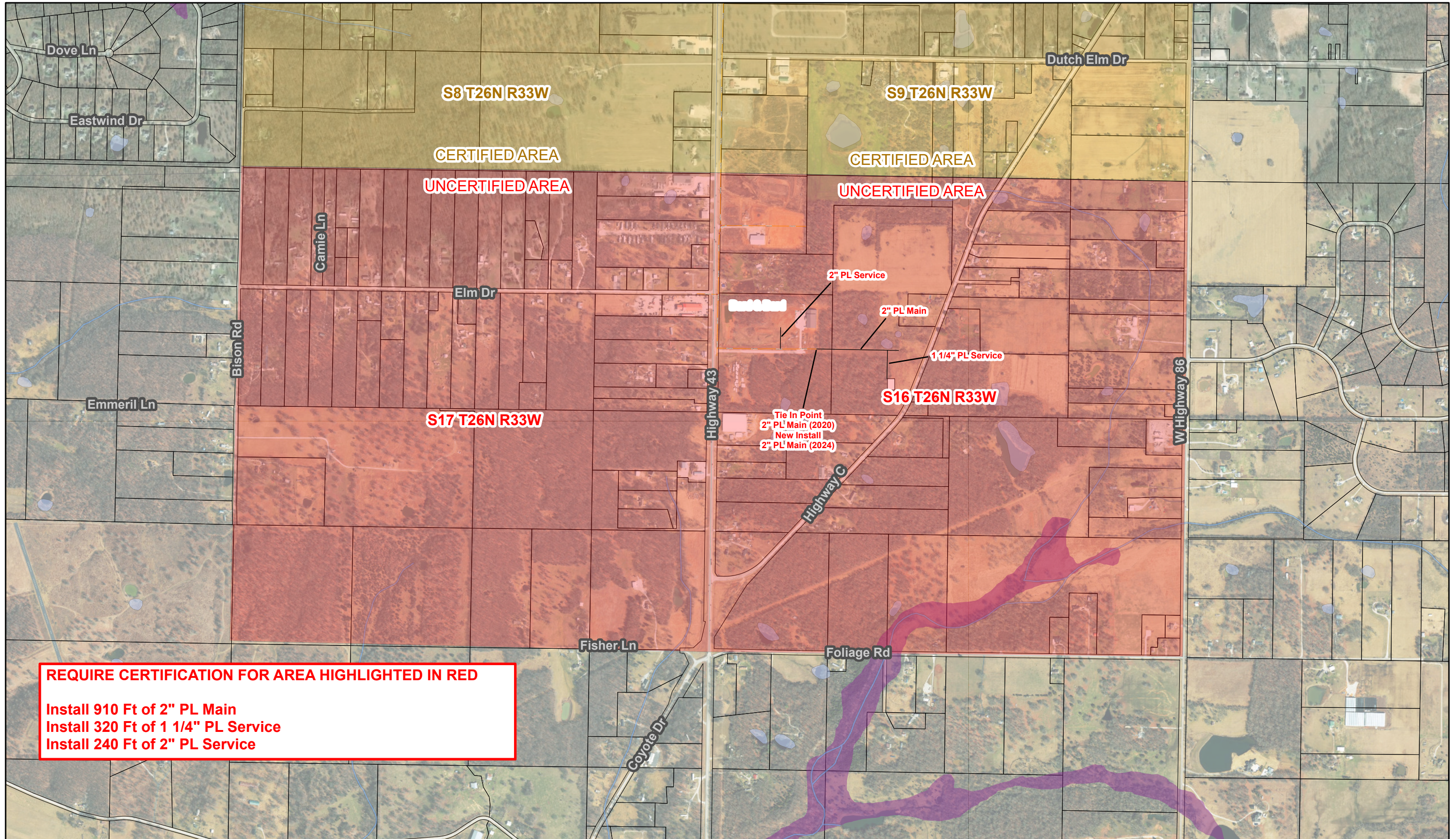
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ATTORNEYS FOR SPIRE MISSOURI INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was serve on the Staff of the Commission and the Office of the Public Counsel via electronic mail (e-mail) on this 22nd day of March, 2024.

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REQUIRE CERTIFICATION FOR AREA HIGHLIGHTED IN RED

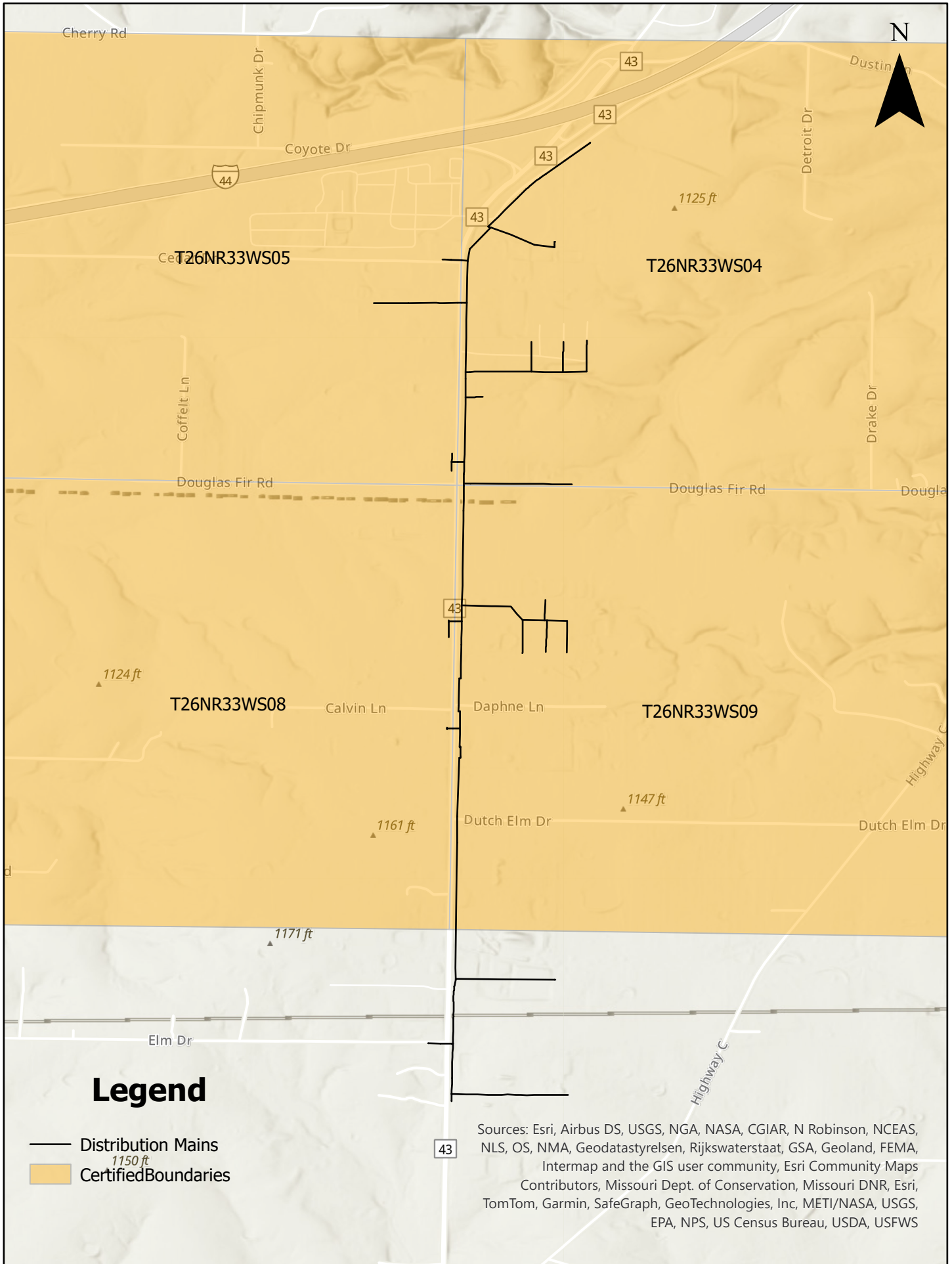
Install 910 Ft of 2" PL Main
 Install 320 Ft of 1 1/4" PL Service
 Install 240 Ft of 2" PL Service

Work Order Title: Work Order: Project #:

Municipality: Joplin

1:12,00
1 inch = 1,000 feet





Confidential pursuant to 20 CSR 4240-2.135 (2)(A) 1

Newton County CCN

Addresses

Confidential pursuant to 20 CSR 4240-2.135 (2)(A) 3 and 4

GAS

ORDINANCE NO. 75.

An Ordinance in Relation to Gas Works, and to Provide for the Lighting of the Streets, and Erecting Lamp Posts and Placing Lamps Thereon, in the City of Joplin, in the State of Missouri.

Whereas, C. E. Gray, Henry Flad and A. B. Bowman, of the City of Saint Louis and State of Missouri, propose to take the necessary steps to secure the construction of gas works in the City of Joplin by the organization of a local company or otherwise, if the city will grant and assure to them the necessary and proper rights, privileges and public patronage, and the citizens thereof will assure such enterprise fair and reasonable encouragement and patronage. Therefore, in order to render it possible for said Gray, Flad and Bowman to effect such a desirable result,
Be it Ordained by the Council of the City of Joplin, Missouri, as follows:

Sec. 1. Franchise; Conditions. That permission be and the same is here by given and granted unto C. E. Gray, Henry Flad and Albert B. Bowman, their heirs, associates, successors or assigns, to construct, complete and operate works for the manufacture, purification and distribution of illuminating gas in the city of Joplin, and the said Gray, Flad and Bowman, their heirs, associates, successors or assigns, are hereby authorized, permitted and vested with full and exclusive power and right to occupy and use the streets, lanes, avenues, alleys, public grounds and sidewalks in said city as it is now laid out or may be hereafter laid out, extended or enlarged for the purpose of laying down and repairing pipes for the conveyance of gas in and throughout the City of Joplin for the use of said city and the inhabitants thereof and of erecting lamp posts and placing lamps thereon; Provided, however, that the streets, lanes, avenues, alleys, public grounds and sidewalks shall not be continually obstructed, that they shall be repaired within a reasonable time and placed as near as practicable in as good a condition as before said pipes were laid down or repaired.

Sec. 2. Term of Franchise. That the City of Joplin shall and will abstain for a period of ten (10) years from and after the passage of this ordinance, from granting to any other person or persons, company or corporation the right or privilege to construct gas works in the City of Joplin or to lay gas pipes in any of the streets, lanes, avenues, alleys or public grounds thereof, or to light said city or any portion thereof with gas,

Sec. 3. Work to be Begun -- When. Time of Completion. That the grantees aforesaid shall themselves or by their legal representatives within ninety (90) days after the passage and publication of this ordinance commence the erection of said gas works, and within seven (7) months thereafter shall have said gas works completed and at least eight thousand (8,000) feet of main pipe laid, or forfeit all the rights and privileges granted by this ordinance.

Sec. 4. Price to Be Paid by City for Lights, Etc. That in consideration of the public and private benefit to be derived by the city and citizens of Joplin by the construction of said gas works, said City of Joplin, by its Mayor and common council promises, agrees and obligates itself to use and consume gas manufactured by the grantees aforesaid in at least thirty (30) street lamps, and in all the public offices and buildings under the control of said city where lights shall be used and in all public lamps that may be erected by or for said city along the lines of street main gas pipes for and during the period of ten (10) years from the completion of said gas works hereinbefore provided for, the public lamps to be lighted one-half hour after sunsets or one-half hour before moon sets, and to be extinguished one hour before sun rises or one-half hour after moon rises, if clear; that the terms or price to be paid by the said city for lighting, extinguishing, cleaning and repairing the said street lamps shall be at the rate of forty dollars (\$40.00) each per annum, payable monthly in warrants of the city.

Page 2.

Sec. 5. Standard, Candle Power, and Price to Be Charged for gas. That the standard quality of gas to be supplied by the grantees aforesaid shall be of an illuminating power of not less than fourteen (14) standard candles. That the price to be charged to private consumers shall at no time exceed the rate of four dollars for one thousand cubic feet of the standard and quality aforesaid, and when the number of gas consumers shall reach two hundred (200) the price of gas shall not exceed three and 75-100 dollars for one thousand cubic feet of the standard and quality aforesaid. And when the number of gas consumers shall reach three hundred (300) the price shall not exceed three dollars and fifty cents for one thousand cubic feet of the standard and quality aforesaid, less a discount of twenty-five (25) cents per thousand feet for those whose gas bills exceed one thousand feet per month who pay their bills promptly upon presentation of same or within five days thereafter.

The said grantees shall provide a jet photometer for testing the candle power of the gas, and shall erect lamp posts and lanterns on streets occupied by the gas main pipe wherever ordered to by the city council, and shall make no charge for running service pipes from the street main pipe to the curbstone or gutter.

Sec. 6. Conflicting Ordinances Repealed. That all ordinances and parts of ordinances conflicting with the terms hereof are hereby repealed.

Sec. 7. To Take Effect; When; This ordinance shall take effect and be in force from and after its passage and publication.

Approved September 19, 1876.

Attest:
I. W. DAVIS, City Clerk

F. L. THOMPSON,
Mayor.

GAS (SWEETMAN FRANCHISE)

ORDINANCE NO. 1953.

An Ordinance Amending and Re-enacting as Amended Ordinance No. 1913, Approved April 11th, A.D. 1903, Entitled, "An Ordinance Authorizing M. M. Sweetman, His Successors and Assigns, to Construct, Acquire, Operate and Maintain Gas Works, Mains and Appurtenances in the Streets, Roads, Alleys and Public Grounds of the City of Joplin, Missouri, for the Purpose of Supplying Natural and Manufactured Gas to the City and Citizens Thereof, and Defining the Rights, Privileges and Power Thereunder", Striking Out and Repealing Section Nine (9) of Said Ordinance, and Enacting and Adding Thereto Four New Sections, to Be Known and Numbered as Sections Nine (9), Ten (10), Eleven (11) and Twelve (12) and also Providing for a Special Election to Submit to the Qualified Voters of the City of Joplin, Missouri, for their Consent the Proposition to Grant to the Said M. M. Sweetman, His Successors and Assigns, the Rights, Privileges, Franchises and Powers Herein Set Forth and Contained.

Be it ordained by the Council of the City of Joplin, Missouri, as follows:

(Original Ordinance here sets forth proposed amendments to ordinance No. 1913)

Sec. 1. Franchise Granted. That the said M. M. Sweetman, his successors and assigns, be and they are hereby authorized to construct, acquire, operate and maintain gas works in the City of Joplin, Missouri, and to manufacture, sell and supply gas to said city and the inhabitants thereof, and to sell and supply natural gas to the city and inhabitants thereof, and to lay, use and maintain pipes and mains with all necessary and proper attachments, connections and appurtenances below the surface of the streets, avenues, sidewalks, lanes, alleys and public grounds and on the bridges and viaducts in said city as the boundaries now are or may hereafter be for the supply and distribution of either natural or manufactured gas, and to excavate therefor, and for the same purpose to erect and maintain all necessary posts for

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In the Matter of the Application of Spire Missouri)	
Inc. for a Certificate)	
of Convenience and Necessity to Construct, Install,)	
Own, Operate, Maintain, and Otherwise Control)	Case No:
and Manage a Natural Gas Distribution System to)	
Provide Gas Service in Newton County)	
by Natural Gas Expansion of its Existing)	
Certificated Areas.)	

AFFIDAVIT

STATE OF MISSOURI)	
)	SS.
COUNTY OF JACKSON)	

Patti Reardon, of lawful age, being first duly sworn, deposes and states:

1. My name is Patricia "Patti" Reardon. I am Manager, Small Commercial and Industrial Business Development for Spire Missouri Inc. My business address is 7500 E. 35th Terrace, Kansas City, Missouri, 64129.
2. The purpose of this affidavit is to comply with Commission Rule 20 CSR 4240-2.060(1)(M).
3. Under penalty of perjury, I hereby declare that the information contained herein, and in the attached documents is true and correct to the best of my knowledge and belief.

Patricia Reardon
 Patricia "Patti" Reardon

 March 22, 2024

 Dated

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Natural Gas Distribution System in Newton County,)
Missouri As an Expansion of its Existing)
Certified Areas.)

VERIFICATION

State of Missouri)
) SS
County of St. Louis)

I, Trisha Lavin, state that I am a Senior Regulatory Analyst for Spire Missouri Inc. I am authorized to make this verification on behalf of Spire Missouri Inc. and that under the penalty of perjury, I declare that the matters and things stated in the foregoing Application are true and correct to the best of my knowledge and belief. I also hereby swear and affirm that I have read the foregoing Request for Waiver, and hereby declare that, other than pleadings or other public communications, Spire Missouri Inc. has had no communication with the office of the Commission, within the prior one hundred and fifty (150) days regarding any substantive issue likely to be in the above referenced case.



Trisha Lavin

March 22, 2024

Dated

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 25th day of March 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 25, 2024

File/Case No. GA-2024-0257

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County of Newton, Missouri

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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**

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