

**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 Variance of its Tariff Rules and        )  
Regulations for Resale of Natural Gas                    )

**Case No. GE-2023-0393**

**STATUS REPORT**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and for its *Status Report* hereby states:

1. On May 19, 2023, Spire Missouri Inc. d/b/a Spire (“Spire”) filed a *Verified Application for Variance of Spire Missouri Inc.’s Tariff Rules and Regulations and for Waiver from 60-Day Notice Rule (“Application”)* requesting a variance from its tariff provisions related to the resale of natural gas in connection with the new KCI Airport terminal built by the City of Kansas City (“City”). In paragraph 15 of its *Application*, Spire represented that the City understood that as the operator of the KCI master meter, it will be subject to the Commission’s Rules on safety and reporting, including 20 CSR 4240-40.020 and 20 CSR 4240-030, as well as the Pipeline and Hazardous Materials Safety Administration’s (“PHMSA”) safety and reporting rules, as may be applicable.

2. On May 24, 2023, the Commission issued an *Order* directing its Public Policy and Outreach Department to provide a notice of its *Order Directing Notice and Setting Deadlines for Intervention Applications and Staff Recommendation* to the news media serving residents in the City, setting a date of no later than June 21, 2023, for *Applications for Intervention* and a date of no later than July 6, 2023, for the Commission’s Staff to either file a recommendation regarding Spire’s *Application* or a status report indicating when it expected to file a recommendation.

3. On June 30, 2023, the City filed an *Application to Intervene*.

4. On July 6, 2023, the Staff filed a *Status Report*, supporting the City's *Application to Intervene* and requesting an extension to file either another status report or recommendation.

5. On July 13, 2023, the Commission issued an *Order* granting the City's intervention request.

6. On July 18, 2023, the Commission issued an *Order* granting Staff an extension of time request to no later than October 13, 2023, to submit its recommendation or an appropriate alternative filing.

7. On October 12, 2023, Staff filed a *Status Report* stating that it had conducted a site visit to the new KCI Airport terminal on August 28, 2023, and was continuing to conduct discovery through data requests (DRs). Staff requested a further extension until December 13, 2023, which was granted by the Commission on October 13, 2023.

8. On December 13, 2023, Staff filed another *Status Report* requesting a discovery conference to permit Staff to identify which DRs remained unanswered by the City, and which responses were incomplete or vague. Staff requested a further extension to provide its recommendation, which the Commission granted.

9. On December 15, 2023, the Commission ordered a discovery conference to be held on January 9, 2024 by WebEx to discuss the issues concerning the outstanding DRs.

10. On December 29, 2023, Staff filed a motion requesting Commission approval for Staff to contact the PHMSA to request an interpretation as to whether the natural gas system at the KCI Airport meets the definition of a Master Meter System in 49 CFR 191.3, and be subject to the requirements for master meter systems in 49 CFR Part 192.

11. The Commission granted Staff's motion on January 18, 2024, and ordered Staff to file a status report no later than February 20, 2024, indicating when it expected to receive an answer from PHMSA and to file a copy of the letter sent and any response received from PHMSA.

12. On February 16, 2024, Staff filed its response to the Commission's January 18, 2024 *Order*, provided a copy of the letter Staff sent to PHMSA, and an estimate that a response would be received between March and August 2024. Staff also requested that the deadline to file its recommendation be extended to April 30, 2024, which was granted.

13. On March 7, 2024, the City filed a *Motion to Contact PHMSA*, stating the City's position that the PHMSA regulations regarding master metering are not applicable to the City, and requesting to contact PHMSA to provide factual information and documentation that would assist PHMSA in its determination.

14. On March 12, 2024, the Staff filed a response to the City's *Motion*, recommending that the Commission deny the City's request, or in the alternative, that the Commission order the City to file a copy of information it provides to PHMSA in this docket.

15. On March 27, 2024, the Commission granted the City's *Motion* to contact PHMSA and ordered the City to file a copy of any communication it has with PHMSA, including communication sent or received.

16. To date, Staff reports that no public comments have been filed in Case No. GE-2023-0393, Staff has not yet received a response from PHMSA to its request for interpretation, and there have been no filings of communications between the City and PHMSA.

17. Staff respectfully requests to file its recommendation or a further status report by June 28, 2024. Staff will file a *Status Report* by that date if it has not yet received PHMSA's response or has had an inadequate amount of time to review the response.

**WHEREFORE**, Staff prays that the Commission will accept this *Status Report*; grant an extension to file Staff's recommendation or a status report no later than June 28, 2024, and provide such other and further relief as is just and reasonable under the circumstances.

Respectfully submitted,

**/s/ Carolyn H. Kerr**  
Missouri Bar # 45718  
Senior Staff Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
573-751-5397 (Voice)  
573-526-6969 (Fax)  
[Carolyn.Kerr@psc.mo.gov](mailto:Carolyn.Kerr@psc.mo.gov)  
Attorney for Staff of the  
Missouri Public Service Commission

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, on this 26<sup>th</sup> day of April, 2024, to all counsel of record.

**/s/ Carolyn H. Kerr**