

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at the Commission's office in Jefferson City on the 30th day of May, 2024.

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 Natural)
Gas Distribution System in Cass County,)
Missouri, as an Expansion of its Existing)
Certificated Areas)

File No. GA-2024-0243

**ORDER GRANTING CERTIFICATE
OF CONVENIENCE AND NECESSITY**

Issue Date: May 30, 2024

Effective Date: June 29, 2024

On March 8, 2024, Spire Missouri Inc. filed an application with the Commission seeking 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 Cass County, Missouri, as a further expansion of its existing certificated area to serve additional commercial buildings. The application also included a request to waive the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017(1). The Commission directed notice and established an intervention deadline. The Commission received no applications to intervene.

On May 3, 2024, the Staff of the Commission (Staff) filed a recommendation that a CCN should be granted for the service area described in the application. Staff agreed with Spire's position that good cause exists to waive the 60-day notice requirement. On

May 7, 2024, Spire filed a response stating they requested approval consistent with Staff's recommendations.

The requirement for a hearing is met when the opportunity for hearing is provided and no proper party requests the opportunity to present evidence. No party requested a hearing in this matter; thus, no hearing is necessary.¹

The Commission may grant a gas corporation a CCN to operate after determining that the construction and operation are "necessary or convenient for the public service."² The Commission articulated criteria to be used when evaluating applications for CCNs in *In Re Intercon Gas, Inc.*³

The *Intercon* case combined the standards used in several similar certificate cases, and set forth the following criteria (referred to as the Tartan Factors):⁴ (1) there must be a need for the service; (2) the applicant must be qualified to provide the proposed service; (3) the applicant must have the financial ability to provide the service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.

Natural gas service³ is not currently offered by another unregulated or regulated entity in the proposed service area. There is a commercial customer who has requested service in the proposed service area thus, there is a need for the service.

¹ *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Comm'n of the State of Missouri*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

² Section 393.170.3, RSMo.

³ 30 Mo P.S.C. (N.S.) 554, 561 (1991).

⁴ See Report and Order, *In re Application of Tartan Energy Company, L.C., d/b/a Southern Missouri Gas Company, for a Certificate of Convenience and Necessity*, Case No. GA-94-127, 3 Mo. P.S.C. 3d 173 (September 16, 1994).

Spire is qualified to provide the service, as it already provides gas service to customers in the City of St. Louis and 41 counties throughout the state of Missouri.⁵ Spire has the financial ability to provide the service, as the project would be completed using internal funds and a contribution in aid of construction provided by the developer. There would be no changes in Spire's financial ratios and capital structure due to this CCN. Moreover, the proposed total cost of the project is less than 0.1% of Spire's annual capital expenditure average.

Staff analyzed the impact of the proposed addition of assets on the revenue requirement based on the revenue requirement determined in Commission File No. GR-2022-0179 and concluded that the additional revenue requirement increase will not become a detriment to existing customers. Staff also analyzed Spire's economic model and concluded that the project is economically feasible.

The Commission finds that Spire's application promotes the public interest by serving an area where no other natural gas providers currently serve and in which service was requested of Spire by a commercial customer.

Based on the application and Staff's recommendation, the Commission concludes that the factors for granting a certificate of convenience and necessity have been satisfied. The Commission further finds Spire's provision of gas service to the area, as described in its application, and not objected to by Spire, is necessary and convenient for the public service. Thus, the Commission will grant Spire a CCN to provide gas service within the area set out in the application.

⁵ *Application for Certificate of Convenience and Necessity for Cass County and Request for Waiver*, p. 2 (filed September 22, 2023).

The Commission will grant Spire's request for waiver of the 60-day case filing notice requirement under 20 CSR 4240-4.017(1). The Commission finds good cause exists for waiver based on Spire's verified declaration that it had no communication with the Commission regarding substantive issues likely to arise in this file within 150 days before filing its application.

THE COMMISSION ORDERS THAT:

1. Spire is granted a certificate of convenience and necessity to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service for the area in Cass County, Missouri described in its application as Sections 32, Township 46 North, Range 32 West of Cass County (Section 32).

2. Spire shall file an updated tariff sheet incorporating the additional certificated area granted by this CCN.

3. All rate making determinations regarding the revenue requirement impact of the extension of the service area granted by this CCN are reserved until Spire's next general rate making proceeding.

4. The 60-day notice of case filing requirement is waived for this application pursuant to 20 CSR 4240-4.017(1)(D).

5. This order shall become effective on June 29, 2024.



BY THE COMMISSION

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

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Holsman
Kolkmeier, and Mitchell CC., concur.

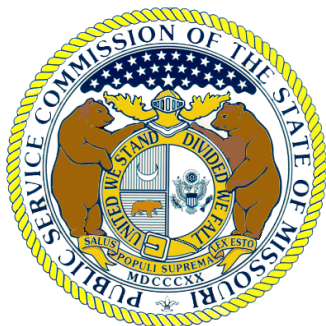
Karolin S. Walker, Regulatory Law Judge

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 30th day of May 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 30, 2024

File/Case No. GA-2024-0243

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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.