

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

In the Matter of Spire Missouri Inc.)
d/b/a Spire and Gateway)
Infrastructure, LLC Concerning a)
Natural Gas Incident at Millers Ct. in)
O’Fallon, Missouri)
)

File No. AO-2023-XXXX

MOTION TO OPEN CASE

COMES NOW the Staff of the Missouri Public Service Commission and for its
Motion to Open Case States:

1. The Commission has the authority to require every gas utility, including municipal gas systems, to operate its system in a manner that promotes and safeguards the health and safety of its employees, customers, and the public. Section 386.310, RSMo.

2. The Commission has the jurisdiction to regulate gas pipeline safety under Section 386.310, RSMo.

3. A public utility that owns any gas plant is subject to the provisions of Section 386.572, RSMo., for violation of any law, order, decision, decree, rule, direction, demand, or requirement of the Commission. Section 386.572, RSMo.

4. Spire Missouri Inc. d/b/a Spire (“Spire”) is a public utility under Section 386.020, RSMo.

5. Spire owns and operates a gas plant and is subject to the provisions of Section 386.572, RSMo.

6. Gateway Infrastructure, LLC (“Gateway”) is registered with the Commission to provide Interconnected Voice over Internet Protocol (“IVoIP”) Service.

7. Pursuant to Commission rule 20 CSR 4240-28.014(2) any company providing intrastate telecommunications services shall comply with the safety standards identified in 20 CSR 4240-18.010.

8. On March 11, 2022, JDK Cable Contractors (who was performing work on behalf of Gateway), was boring on the North side of Millers Ct in O'Fallon, Missouri when it struck Spire's natural gas main assets, resulting in an explosion and fire and damage to multiple residences.

9. Safety Engineering Staff ("Staff") has conducted an investigation into this matter. Staff has sent information requests to Spire and Gateway, reviewed relevant Commission rules and orders, and drafted an Initial Report that is attached to this motion.

10. Staff requests the Commission open a case for the purpose of accepting Staff's Initial Report. Staff further requests that once the Commission opens a case that the Commission order Spire and Gateway to respond to Staff's Initial Report.

WHEREFORE, Staff moves the Commission to open a case for the reasons noted above.

Respectfully submitted,

/s/ Jamie S. Myers

Jamie S. Myers
Deputy Counsel
Missouri Bar No. 68291
P.O. Box 360
Jefferson City, MO 65102
573-526-6036 (Voice)
573-751-9285 (Fax)
jamie.myers@psc.mo.gov

/s/ Whitney Scurlock

Whitney Scurlock
Chief Deputy Staff Counsel
Missouri Bar No. 64078
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7434 (Telephone)
(573) 751-9285 (Fax)
whitney.scurlock@psc.mo.gov

Attorneys for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to Spire Missouri, Inc., Gateway Infrastructure, LLC , and The Office of the Public Counsel on this 26th day of April, 2023.

/s/ Jamie S. Myers