

STATE OF MISSOURI

KYLAND LAMONT POWELL ESTATE, Complainant
GC-2025-0021

Case Number:

Vs.

Spire Missouri Inc. d/b/a Spire, Respondent

INJUNCTION TO CEASE DISCONNECTION AND COLLECTION

INTRODUCTION:

COMES NOW, Kyland-Lamont: POWELL a Living Breathing Free Spirit Man of Sound Mind and Good Faith, who is competent and is the Age of Majority Operating only under the Jurisdiction of God in Full Faith and Credit, I Reserve All Rights and Waive None. I am the **Guarantor / Attorney in Fact** for Persons, **KYLAND L POWELL**, As I am the Executor/ Beneficiary over the **KYLAND LAMONT POWELL ESTATE AND TRUST**. I hereby respectfully, request that the Commission immediately cease all service disconnection and collection activities related to my account, Account Number [REDACTED], while a complaint I have filed with the **Missouri Public Service Commission (PSC)** is under investigation. This Injunction serves as both notice to **Spire Gas** and a request for the **Missouri PSC** to issue an order halting any adverse actions against the Estate until a final decision is rendered in this matter that's Pursuant to **Section 386.390, RSMo.**

Grounds for Injunction:

1. PSC Jurisdiction and Regulations:

- The Missouri Public Service Commission ("PSC") regulates public utilities in Missouri, including the Respondent, under Chapters 386, 392, and 393 of the Revised Statutes of Missouri (RSMo).
- The PSC has the authority to ensure that public utilities provide fair, just, and reasonable rates and services to customers.
- Allowing disconnection or collection efforts to continue during the pendency of a complaint may constitute a violation of consumer rights under Missouri law and the applicable regulations of the Missouri Public Service Commission.

- The continued threat of disconnection poses a substantial risk of irreparable harm to the Estates household, especially considering that utility services are **essential** for a **Consumers** health, safety, and well-being.

2. Allegation Of Violation:

- **Section 386.390 - Complaints to the Public Service Commission:** This statute allows any person or entity to file a complaint with the Missouri PSC regarding any act or omission by a utility company that violates state law, PSC orders, or established rules. **While a complaint is under investigation, the PSC may issue orders to temporarily prevent disconnection or other adverse actions.**
- **2. Missouri Code of State Regulations (CSR)**
- **4 CSR 240-13.055 - Service Disconnection:** This regulation governs the circumstances under which utility companies may disconnect service for non-payment, **including required notice periods and procedures. It specifies that utilities must provide a written notice before disconnection and outlines the grounds on which a disconnection may not occur, such as pending complaints or extreme weather conditions.**
- **4 CSR 240-10.020 - Billing and Payment Standards for Electric and Gas Utilities:** This regulation outlines billing practices, payment arrangements, and procedures for disputing charges. It provides certain protections for consumers in cases of billing disputes.
- **Missouri Merchandising Practices Act (MMPA) - Chapter 407, RSMo:** This act prohibits unfair or deceptive practices in trade or commerce, which may include unfair practices by utility companies. Consumers may bring claims under the MMPA if they believe a utility company has engaged in deceptive practices.
- Respondent is dishonoring its duty to uphold its Oath to the **RSMO's** Statutes and Codes by Enforcing a Policy that is not in accordance with Missouri's Constitution.
- Under the law governing bills of exchange (such as the Uniform Commercial Code), the drawee (Spire) must honor the bill if it is presented in proper form and all conditions are met. A company policy cannot override these legal obligations.

Supporting Evidence:

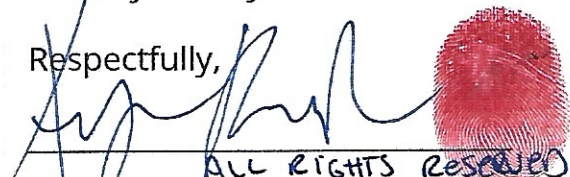

1. The improper treatment and charging practices by the Respondent indirectly affect the regulations of the PSC, as these practices distort the fair and reasonable rate structure that the PSC aims to uphold.
2. The Respondent's actions undermine the integrity of the regulatory framework by conflating the Estates entitlements with consumer obligations, thereby creating an unjust and unreasonable burden on the Estate as an Consumer.
3. As Spire should be in compliance with **(16 CFR § 429)** as they are engaged in business for selling Consumer Goods, and Gas being a "Necessity", If a sale involves a security interest (such as financing a purchase with the goods serving as collateral), the company must comply with UCC Article 9, covering secured transactions.
4. As of 09/10/2024 **Spire Gas** had sent out an employee to disconnect services and upon doing so Violated Multiple Codes and Regulations of the **RSMO(Mentioned above)**. This Act **Spire** committed has brought a substantial injury to the Estates Well-Being as Gas is a major necessity to everyday life.

Conclusion:

In light of these Violations, and after providing enough significant evidence based on this matter, I believe if the PSC does its Fiduciary Duty by upholding its oath to Missouri 's Constitution by protecting its consumers from unjust and unfair treatment, the commission will immediately order **Spire Gas** the cessation of all disconnection and collections on behalf of the account until the pending outcome of this complaint.

Thank you for your attention to this matter.

Respectfully,



ALL RIGHTS RESERVED

Kyland-L :POWELL (EXECUTOR)

(GUARANTOR/ATTORNEY IN FACT)

(COMPLAINANT/PLAINTIFF)

