

**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 Permission )  
and Approval and 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 in Lafayette County as an )  
Expansion of its Existing Certificated )  
Areas )

**File No. GA-2020-0235**

**ORDER DIRECTING NOTICE AND SETTING DEADLINES FOR  
INTERVENTION APPLICATIONS AND STAFF’S RECOMMENDATION**

Issue Date: February 10, 2020

Effective Date: February 10, 2020

On February 3, 2020, Spire Missouri, Inc. d/b/a Spire filed its application requesting 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 in Lafayette County, Missouri, as an expansion of Spire’s existing certificated area. Spire also requests a waiver of the Commission’s 60-day notice requirement under 20 CSR 4240-4.017.

The Commission will direct notice be given and set deadlines for intervention applications and responses. The Commission will also direct Commission Staff to file a recommendation with regard to Spire’s application.

**THE COMMISSION ORDERS THAT:**

1. The Commission’s data center shall provide notice of this order and Spire Missouri, Inc.’s application to the county commission for Lafayette County, Missouri.

2. The Commission's Public Policy and Outreach Department shall provide notice of Spire Missouri, Inc.'s application to the members of the General Assembly representing residents of Lafayette County, as well as to the news media serving residents of Lafayette County.

3. Applications for intervention shall be filed no later than March 11, 2020. Any such filing shall be submitted through the Commission's electronic filing and information system or delivered to:

Secretary  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

4. Any response to an application to intervene filed in this matter shall be filed no later than March 23, 2020.

5. No later than March 23, 2020, the Commission's Staff shall file either a recommendation regarding Spire Missouri, Inc.'s application or a status report indicating when it expects to file a recommendation.

6. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Jana C. Jacobs, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 10th day of February, 2020.

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

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

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

COMES NOW Spire Missouri, Inc. (“Spire” or the “Company”), on behalf of its Spire Missouri West operating unit and by and through its undersigned counsel, and, pursuant to RSMo. §393.170, RSMo, 20 CSR 4240-2.060 and Commission Rule 20 CSR 4220-3.205, requests permission and approval and 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 Lafayette County, Missouri, as a further expansion of its existing certificated area. In support of this request, Spire respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. Spire West 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. A Certificate of Good Standing evidencing Spire West's standing to do business in Missouri was submitted in Case No. GM-2013-0254 and is incorporated by reference herein for all purposes. The information in such Certificate is current and correct.

2. Spire West 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 West provides gas service in western Missouri to customers in the western Missouri counties of 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. 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 or court within the past three years that involve customer service or rates. Spire has no annual report or assessment fees that are overdue.

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

David P. Abernathy  
Vice President & General Counsel  
Spire Missouri Inc.  
700 Market Street, 6<sup>th</sup> Floor  
St. Louis, MO 63101  
314-342-0536 Office  
314-421-1979 Fax  
[David.Abernathy@spireenergy.com](mailto:David.Abernathy@spireenergy.com)

Matt Aplington  
General Counsel, Spire Missouri  
Spire Missouri Inc.  
700 Market Street  
St. Louis, MO 63101  
314-342-0785 Office  
[Matt.Aplington@spireenergy.com](mailto:Matt.Aplington@spireenergy.com)

Wesley E. Selinger  
Manager, Rates and Planning  
Spire Missouri Inc.  
700 Market Street, 5<sup>th</sup> Floor  
St. Louis, Missouri 63101  
(314) 230-5867

4. Spire seeks a service area CCN to provide gas to an individual project. The requested area is located in Higginsville, Missouri and the requested area is Section 35, Township 49 North, Range 26 West in Lafayette County, Missouri. The legal descriptions of the new area are set forth in the attached Appendices. 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 for the project.

5. The rates for the proposed area will be those approved and in effect for the customers in the adjoining Spire West operating unit certificated areas, until such rates may be changed by approved tariff or order of the Commission. At this time, Spire does not anticipate the additional customers as a result of this project. Estimated revenues and expenses for the first three years of operations for the project are shown in the feasibility study included in Appendix 2. No external financing will be required for construction related to this project.

6. Spire holds all necessary franchises and permits from municipalities, counties, or other authorities that are required for Spire to serve the subject area. Documentation providing the necessary assent for Lafayette County can be found in Appendix 3.

7. Spire's experience in the operation of natural gas systems gives it the ability to provide this service in an efficient manner. For all reasons set forth herein, a grant of the

application will further the public convenience and necessity.

8. Commission Rule 20 CSR 4240-4.017(1) provides that “(a)ny 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.” No such notice was filed herein. As such, Spire seeks a waiver of the 60-day notice requirement.

9. Commission Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. In this regard, Spire declares (as verified below) that they have had no communication with the Office of the Commission (as defined in Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case.

WHEREFORE, Spire 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 schedules, and grant such other and further relief as is just and proper under the circumstances.

Respectfully submitted,



\_\_\_\_\_  
ATTORNEYS FOR  
SPIRE MISSOURI INC.

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 3rd day of February, 2020, to:

General Counsel’s Office  
Missouri Public Service Commission  
staffcounsel@psc.mo.gov

Office of the Public Counsel  
opcservice@opc.mo.gov



VERIFICATION

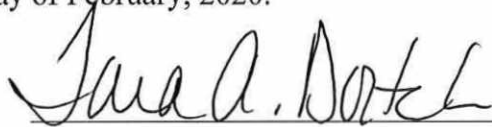
State of Missouri )  
County of St. Louis ) ss

I, Matthew Aplington<sup>City</sup>, having been duly sworn upon my oath, state that I am General Counsel of Spire Missouri Inc. (Spire Missouri), that I am authorized to make this affidavit on behalf of Spire Missouri, and that the matters and things stated in the foregoing Application and appendices thereto are true and correct to the best of my information, knowledge and belief.



Subscribed and sworn before me this 3<sup>rd</sup> day of February, 2020.

TARA A DORTCH  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Commissioned for Saint Charles County  
My Commission Expires: March 9, 2023  
Commission # 15633816





**RED HIGHLIGHTED AREA REQUIRES  
CERTIFICATION**

**Section - S35 T49N R26W  
Meridian - Fifth  
State - Missouri  
Certification - Needed**

03



**Install 200 ft of 6" Main and  
150 ft of service**

0 1,000 2,000 4,000 Feet

**Job Description:**

Lafayette County Bridge Maintenance Building

1 inch = 1,000 feet

**Maximo Work Order: 20466889**

**Project #: 027175**



**PAGE 1 OF 1**

APPENDIX 2 HAS BEEN  
IDENTIFIED AS  
CONFIDENTIAL

AN ORDER GRANTING TO SPIRE MISSOURI, ITS SUCCESSORS AND ASSIGNS, AN ASSENT TO USE OF THE PUBLIC ROADS OR HIGHWAYS OF LAFAYETTE COUNTY, MISSOURI, FOR THE PURPOSE OF PROVIDING NATURAL GAS DISTRIBUTION SERVICE AND RELATED FACILITIES UNDER SAID PUBLIC ROADS OR HIGHWAYS.

WHEREAS, Lafayette County (the "County") is a political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and

WHEREAS, Spire Missouri is a Missouri corporation duly authorized to conduct business in Missouri and is engaged in the construction and operation of natural gas distribution facilities in Missouri; and

WHEREAS, Spire Missouri intends to request and obtain a Certificate of Convenience and Necessity from the Missouri Public Service Commission, recognizing that projects to be placed in service by the Company in Lafayette County are in the public interest and authorizing it to construct natural gas distribution facilities in Western Missouri and, specifically, in the County; and

WHEREAS, Spire Missouri anticipates utilizing the public roads and highways of the County as construction routes; and

WHEREAS, Spire Missouri intends to install natural gas distribution facilities under the public roads and highways of the County; and

WHEREAS, the County, acting by and through its County Commission, desires to grant to Spire Missouri its assent authorizing Spire Missouri to construct natural gas facilities under the public roads or highways.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF LAFAYETTE COUNTY, MISSOURI, AS FOLLOWS:

Section 1. There is hereby granted to Spire Missouri, its successors and assigns, the assent of Lafayette County (the "County") pursuant to section 229.100 of the Revised Statutes of Missouri for the use of the public roads or highways of Lawrence County, Missouri, for the construction of natural gas distribution or related facilities through, on, under, and across said public roads or highways. Notwithstanding the foregoing, the assent granted herein shall not be invalidated by the subsequent repeal of section 229.100 of the Revised Statutes of Missouri.

Section 2. This order shall be in force and effect from and after its passage.

Name Donald A. Splunde Title President of Commission 1-22-20  
PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**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 10<sup>th</sup> day of February 2020.



  
Morris L. Woodruff  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 10, 2020**

**File/Case No. GA-2020-0235**

**Missouri Public Service  
Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@opc.mo.gov

**County of Lafayette, Missouri**

County Commission Clerk  
1001 Main St., Rm. 103  
Lafayette County Courthouse  
Lexington, MO 64067

**Missouri Public Service  
Commission**

Ron Irving  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
Ron.Irving@psc.mo.gov

**Spire**

Matthew Aplington  
700 Market Street  
Saint Louis, MO 63101  
matt.aplington@spireenergy.com

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

*Sincerely,*



**Morris L. Woodruff  
Secretary**

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