

Draft: Formal Filing to the Missouri Public Service Commission

TO: The Missouri Public Service Commission **FROM:** Jonathan Miller **CASE NO.:** GC-2026-0007 **DATE:** August 8, 2025

SUBJECT: Formal Response Addressing Discrepancies and Motion to Compel Discovery

Dear Commissioners,

This filing is to provide a formal response to the ongoing investigation and to highlight significant discrepancies that have emerged. I am filing this document to ensure full transparency and to request the Commission's intervention regarding Spire's practices.

1. The OPC's Flawed Conclusion vs. Spire's Admissions

The Office of the Public Counsel (OPC) concluded in its email of August 6, 2025, that my case was an **"isolated incident."** However, Spire's own responses to the PSC's Data Requests (DRs) have provided clear evidence to the contrary. Specifically:

- **Spire's Admission of "Erroneous Enrollment":** In its response to **DR 7**, Spire formally admitted that I was "erroneously enrolled" into a budget billing plan on January 27, 2025, during a call from my wife. **At the time of this call, my wife had no authority to access, discuss, or make any changes to the account.**
- **Spire's Admission of a Systemic Policy:** Spire's response to **DR 10** reveals that the "erroneous enrollment" was a direct result of a systemic policy. Spire states that it "auto-enrolls customers in a payment plan" when they receive a pledge through an Energy Assistance Program.

These documents prove that my case was not a one-off error but a consequence of a systemic policy that, by Spire's own admission, led to an unauthorized and erroneous action on my account. The OPC's conclusion is therefore contradicted by the evidence now on file with the Commission.

2. Unequal Access to Discovery

Spire has created a procedural barrier to my access to evidence, which violates the principle of **equal access to discovery**. The Missouri Code of State Regulations (CSR) at **20 CSR 4240-2.120** governs discovery in PSC proceedings, which states that all parties are entitled to discovery. Spire has withheld large discovery files from me while providing them to PSC staff.

Spire formally notified me in its response to **DR 2** that "Due to size limitations, call recordings will be sent through Kiteworks". However, Spire has not provided me with access to this platform. This has the effect of giving Spire control over access to evidence, creating an unequal and unfair process.

The PSC itself, due to the file size limitations of its EFIS system, required me to provide my own evidence via a **physical thumb drive** or transcripts. Furthermore, the PSC would not accept **YouTube links** as a valid format for my evidence. These facts highlight the cumbersome and unreasonable solutions required of a pro se plaintiff, in stark contrast to the secure, digital process Spire is using with PSC staff.

I, as the primary plaintiff, have a right to full and unrestricted access to all discovery documents, as required by 20 CSR 4240-2.120. This procedural barrier violates the spirit of a fair and transparent process.

Prayer for Relief

I respectfully request that the Commission take the following actions:

1. **Acknowledge Spire's admissions** of a systemic auto-enrollment policy and its unauthorized, erroneous application to my account.
2. **Order Spire to provide me with immediate and full access** to all discovery materials, including those currently on Kiteworks, without imposing any further procedural barriers.
3. **Find that the OPC's conclusion was based on incomplete information** and that the issues raised in this complaint are indeed systemic in nature.

I thank the Commission for its time and diligence in this matter.

Sincerely,

Jonathan Miller Case No. GC-2026-0007