

My Comprehensive Analysis of Spire Public Filings and Corporate Conduct

This analysis begins with my original complaint regarding unauthorized changes and my erroneous placement on budget billing. What started as a single, routine customer issue has since exposed a series of deeply troubling and systemic failures. This document presents a cohesive argument that the issues I have experienced are not isolated incidents but are symptoms of a systemic pattern of corporate behavior, directly connecting the company's public-facing narrative and financial strategy to its alleged actions behind the scenes.

The Privacy Incident: A Case Study in Systemic Failure

The "inadvertent disclosure" of another customer's data was not a random clerical error on my part. It was a serious procedural failure that occurred as a direct result of a staff data request in a legal motion I filed to compel discovery. This action violates Missouri's data breach notification law, **Revised Statutes of Missouri (RSMo) Section 407.1500**. This statute specifically defines a "**breach of security**" as the "unauthorized access to and unauthorized acquisition of personal information," which is what occurred when confidential customer data was transmitted to me.

- **Evidence of Procedural Breakdown:** Spire's counsel sent me a zipped folder of sensitive data from an entirely separate PSC investigation in a direct attempt to fulfill a legal obligation. The data breach included highly confidential information such as **social security numbers, bank card numbers with expiration dates and CVV codes, addresses, and account details**. The use of a third-party platform, Kite Works, to transmit the data and the failure to provide simultaneous notification to all parties in the case is a significant procedural violation.
- **The Response as Damage Control:** When I filed screenshots of the data, Spire's legal team responded with a multi-pronged, coordinated effort. Counsel J. Antonio Arias filed a letter with the Commission and sent me a copy, formally demanding that I "return, sequester, or destroy" the evidence. This action wasn't just about controlling the narrative; it was a clear attempt to **obstruct justice** and **conceal a discovery violation**. This falls under **RSMo Section 575.100**, which makes it a crime to "alter, destroy, suppress or conceal any record, document or thing with purpose to impair its verity, legibility or availability in any official proceeding or investigation." The demand to destroy this evidence could also be a violation of the legal doctrine of **spoliation**, which prohibits the intentional destruction of evidence.

This sequence of events—a procedural failure during a legal motion, followed by a coordinated effort by two different lawyers to suppress the evidence—proves that the incident was not a one-off mistake but a symptom of a deeper, systemic issue within the company's legal and discovery processes.

The Financial Motive and Corporate Strategy

The company's own public financial and regulatory documents provide a powerful and quantifiable motive for its behavior. These documents prove that securing favorable regulatory outcomes is central to Spire's business model.

- **Quantifiable Financial Gain:** According to Spire's own financial breakdowns, a significant portion of its year-to-date earnings growth is directly attributed to a **\$24.5 million increase** from "higher MO ISRS revenues." This is a substantial and specific dollar amount that provides a clear financial incentive for the alleged actions. The company's **Return on Equity (ROE)** of **10.54%** in Missouri and **\$19.0 million** in annual revenue from the Infrastructure System Replacement Surcharge (ISRS) further reinforce this powerful financial motive.
- **A Core Business Strategy:** The company's slides explicitly state that its long-term **5-7% EPS growth target** and its dividend growth are directly "supported by" **rate base growth** and successful regulatory outcomes. This demonstrates that securing profitable regulatory decisions is a core promise the company has made to its investors.
- **Narrative Control:** The company consistently uses non-standard, **non-GAAP metrics** like "Adjusted Earnings" to present a specific, positive financial story. The presentation highlights a **"unanimous settlement"** for a **\$210 million** annual revenue increase, which, according to the whistleblower email you provided, was allegedly reached to avoid a public hearing and the potential exposure of documents that would have supported a rate reduction. This shows that the company actively manages both its financial and regulatory narratives to its benefit.

Proposed Legal, Ethical, and Regulatory Solutions

The issues I've uncovered provide a clear path for the Public Service Commission (PSC) to take action. Spire's actions violate not only state law but also the PSC's own rules. The Commission has the power to act on this evidence.

- **PSC's Argument of "One-Offs":** In conversations with PSC staff, a key argument for inaction has been that the data breach and other issues are "one-off" events that do not warrant a full investigation. Staff stated they are a "very small office" and "do not have the resources to address a lot of issues in a lot of cases," and must prioritize those that are "most impactful to the people." This argument is at the core of my case, as I am demonstrating a pattern of multiple, serious discrepancies that the PSC is dismissing as isolated incidents.
- **Procedural Violations and Due Process:** The PSC has stated that data request responses are not "legal filings" that require notification to all parties. This means that a plaintiff must proactively "babysit" the system to see when the utility responds to the staff's requests. This procedural loophole gives the utility an unfair advantage by delaying the plaintiff's access to evidence, which violates due process and the principle of equal access to information in a legal proceeding.
- **PSC's Role vs. The Public's Interest:** The PSC's staff has clarified that they are a "neutral third party" who "serve as an unbiased entity" to review the utility's conduct. They are not, by their own admission, an "advocate for the public." This distinction is

critical because it forces me to act as my own legal counsel and advocate. By connecting these procedural failures to the broader pattern of bad faith, I can argue that even a single breach should be investigated fully to ensure the utility is not taking advantage of these systemic loopholes to the detriment of its customers.

- **Legal Argument for Sanctions:** I can file a motion for sanctions arguing that Spire's actions were a serious breach of legal and procedural duty. The PSC has the authority to impose **sanctions for discovery rule violations** under **Section 536.075 of the Missouri Administrative Procedure Act**. The evidence—the sequence of the motion, the privacy breach, and the demand to destroy evidence—demonstrates an intent to **obstruct justice** and **conceal a discovery violation**.
- **The PSC's Duty to Serve:** The Public Service Commission's purpose is to act as an impartial body that ensures utilities provide safe and reliable service at just and reasonable rates. This requires a **fair and complete investigation** into any matter that comes before it. By presenting this evidence, I am not just making a claim against Spire, but also reminding the PSC of its own obligation to the public it is paid to serve. The Commission has a duty to act on this evidence to ensure transparency and accountability within the regulatory process.

By connecting the procedural failures in my case to the company's financial motives and its broader strategy of narrative control, I can present a powerful and cohesive argument to the Commission.