

**TO:** The Missouri Public Service Commission **FROM:** Jonathan Miller, Complainant, Pro Se  
**CASE NO.:** GC-2026-0007 **DATE:** August 11, 2025 **SUBJECT:** Case No. GC-2026-0007:  
Supplemental Information Regarding Spire's Confidentiality Breach and Accountability of the  
Commission

Dear Commissioners,

This filing is a direct follow-up to my formal letter dated August 11, 2025, concerning the severe confidentiality breach by Spire's attorney, Julie Johnson. The integrity of the regulatory process, which is the foundation of the social contract between a public utility and the citizens it serves, has been compromised. I am submitting this supplemental information to provide newly discovered evidence that directly contradicts the Office of the Public Counsel's (OPC) conclusion that my case is an "isolated incident." This evidence also raises serious questions about the accountability of the OPC and the PSC in this matter.

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## **1. The Breach Refutes the "Isolated" Conclusion and Implicates OPC and PSC Accountability**

On August 6, 2025, the OPC's ██████████ concluded that my case was an "isolated incident," leading to the conclusion of the OPC's active involvement. This finding was a major miscalculation. My evidence—that I received a confidential case file from another active PSC investigation (Case No. GC-2026-0021) via an email also addressed to the same PSC investigator on my case—proves this breach is a systemic problem, not a one-off error.

This raises the question of accountability for the OPC and the PSC. The commission's reliance on an incomplete assessment that my case was "isolated" shows a failure to recognize a systemic problem that was, in fact, present. The OPC and PSC have a responsibility to act on this new information, as the integrity of the regulatory process itself has been compromised.

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## **2. Documented Procedural and Systemic Failures**

This incident is not an accident of circumstance; it is evidence of a profound failure in Spire's discovery and information management processes. The breach demonstrates:

- **Systemic Failure in Discovery:** Spire's use of a private, third-party platform for discovery, which they offered to their legal team and the PSC, but not to me as a pro se complainant, is a systemic flaw. This process is "unreliable and prone to severe errors" and should be replaced with the official PSC e-filing system.
- **Ongoing Negligence:** My access to these highly sensitive files has not been revoked, which further demonstrates Spire's continued failure to secure confidential customer information even after being formally notified of the breach.

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### 3. Specific Regulatory and Legal Violations

This breach highlights Spire's pattern of misconduct, which is central to my original formal complaint. As previously noted:

- **Violation of Just and Reasonable Practices (386.250 RSMo):** Spire's actions, such as placing customers on a budget plan without consent, are unjust and unreasonable.
- **Violation of Approved Tariffs (386.260 RSMo):** Spire's actions likely contravene its own tariffs, which require customer consent for billing changes.
- **Deceptive or Misleading Practices:** Spire's use of a "budget plan" that includes an "immediate, accelerated payment obligation (20-day remainder)" appears to be a deceptive tactic to enforce collections under a misleading guise. The Missouri Community Action Agency (MCVAA) has confirmed that Spire automatically puts customers on this budget plan if they receive assistance, and that the organization itself does not do this.
- **Contradiction of Cold Weather Rule (CWR) Intent (20 CSR 4240-13.055):** The imposition of a sudden payment obligation under the guise of a budget plan, allegedly "required for CWR," directly contradicts the rule's purpose of providing manageable payment options to prevent service disconnection.

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### 4. The Severity of the Confidentiality Breach

The materials transmitted to me were not merely benign documents. The breach included **83 minutes of another customer's recorded phone calls with Spire**, containing detailed account access information and sensitive details about their private situation and investigation evidence. This is a profound invasion of a third party's privacy and a severe violation of confidentiality, raising the gravity of Spire's misconduct significantly.

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### 5. Jeopardizing the Integrity of the Regulatory Process

This incident is not just a breach of privacy; it is a direct attack on the integrity of the regulatory process itself. By exposing discovery and evidence from another active PSC investigation, Spire's actions have compromised the fairness and security of the commission's own procedures. This systemic failure to protect confidential information in one case demonstrates that the entire regulatory framework for discovery is at risk, and it is a matter that the commission must address to maintain its credibility and effectiveness.

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### 6. Legal, Ethical, and Regulatory Implications and Potential Damages (The "Trifecta")

Spire's attorney's conduct has created a **"trifecta of legal, ethical, and regulatory violations"** because it harms multiple people, compromises multiple cases, and violates multiple standards.

- **Ethical Violations:** The attorney's failure to manage files with appropriate care and her disclosure of confidential client information constitutes a breach of the **Missouri Rules of Professional Conduct**, specifically Rule 1.1 (Duty of Competence) and Rule 1.6 (Duty of Confidentiality). This also raises concerns about Rule 1.7 (Conflict of Interest) given that the communication was sent to the same PSC investigator on both cases. These violations could lead to disciplinary action from the Missouri Bar.
- **Legal Violations:** Transmitting another customer's private phone calls is a fundamental breach of their **privacy rights** and may violate state privacy laws. This could expose Spire to further litigation and potential civil damages from the other customer.
- **Regulatory Violations:** By using an unsecure private platform and failing to protect confidential discovery, Spire has compromised the integrity of the PSC's regulatory process. This warrants investigation and could lead to sanctions or fines from the commission.

These violations are not abstract. They could result in damages to the other customer, disciplinary actions against the attorney, and further penalties and sanctions for Spire, which would serve as evidence of their systemic failures in my case.

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## 7. Direct Link to My Case and the Need for a Key Witness

The breach of confidentiality is directly relevant to my case, which is centered on unauthorized access to my account. The irony is that the same company I am suing for a lack of security has now granted me unauthorized access to another customer's private information. Furthermore, the confidential email that was sent to me was also addressed to the same PSC investigator on my case, creating a direct and documented link between these two investigations. This raises serious questions about the impartiality of the investigation and constitutes a potential conflict of interest.

The commission, the OPC, and Spire's legal team must acknowledge that I am a **key witness** to this breach of confidentiality and privacy. The information was given to me directly, and my documented actions of not accessing the files and immediately informing the commission prove that I am a reliable source of this information. The other customer, whose private information was compromised, must also be made aware of this violation.

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## 8. Notification of Other Interested Parties

Due to the severity and systemic nature of this breach, I am compelled to inform other agencies with a vested interest in the matter. These include the **Missouri Attorney General's Office**, the

**Federal Trade Commission (FTC), and members of the media.** This is a matter of public interest and consumer protection that extends beyond the scope of a single case.

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## **9. Requests for Relief**

Given this new and compelling evidence, I respectfully request that the Commission:

- Formally declare the OPC's previous finding that my case was an "isolated incident" to be invalid based on Spire's own evidence of a systemic failure.
- Acknowledge and address the potential conflict of interest involving the shared investigator.
- Order Spire to immediately cease using private platforms for discovery and require all future discovery to be transmitted through the official PSC e-filing system.
- **Require Spire and the commission to formally notify the other customer of this breach of their privacy.**
- **Recognize me as a key witness to this breach and its systemic implications.**

Sincerely,

Jonathan Miller