

BEFORE THE PUBLIC SERVICE COMMISSION OF MISSOURI

In the Matter of

Jonathan Miller,

Complainant,

v.

Spire,

Respondent.

Case No.: GC-2026-0007

COMPLAINANT'S CONSOLIDATED MOTION TO COMPEL RESPONSE, ADDRESS PROCEDURAL ERRORS, AND REQUEST CORRECTIVE ACTION

COMES NOW the Complainant, Jonathan Miller, and files this Consolidated Motion to Compel a formal response from the Missouri Public Service Commission (PSC) and address significant procedural errors and the provision of misinformation by PSC staff. This motion is based on the PSC's statutory duty to ensure safe, adequate, and reliable utility service at just and reasonable rates, which includes the duty to provide accurate information and maintain transparent complaint processes for consumers.

I. Factual Background

1. On June 27, 2025, the Complainant contacted the PSC to file a formal complaint against Spire. A transcript of the phone call is attached as **Exhibit A**.
2. During this call, the PSC representatives failed to inform the Complainant of the different types of complaint processes available, including the informal, formal, and small formal complaint procedures. The Complainant was never given a choice regarding which process he wished to pursue, nor was he provided with the official complaint forms.
3. Instead of being guided through the proper channels, the Complainant was immediately met with resistance when he explained the substance of his complaint. The Complainant stated that his account was unilaterally changed to a budget billing plan without his consent after a third-party pledge was made by a church group.
4. Two separate PSC representatives on two different calls then asserted that it is common practice for all utilities to automatically enroll a customer in a budget billing plan upon receiving a third-party pledge, stating, "Yeah, they do every utility that that does it that

way. So, the only thing we can do is verify that they set the account up in accordance to the rules.”

5. When the Complainant challenged this assertion and requested a specific citation to the regulation, the representatives failed to provide one. The representative vaguely referenced "number 10 for payment agreements under the cold weather rule," but did not cite any specific language that authorizes a utility to unilaterally alter a customer's account without their consent based on a third-party payment. Both calls were then disconnected by the PSC representatives, and neither representative called the Complainant back to continue the conversation or provide the requested information.

II. Legal Argument

The PSC is responsible for assisting consumers and ensuring that the public is fully and accurately informed about their rights and the available complaint procedures. The actions of the PSC staff on June 27, 2025, constitute a violation of this fundamental duty.

1. **Failure to Follow Established Complaint Procedures:** The PSC's regulations and internal policies require that consumers be informed of the different complaint options. The failure to provide the Complainant with a clear explanation of the informal, formal, and small formal complaint processes and the associated forms demonstrates a clear procedural failure. This deprived the Complainant of the ability to make an informed decision about how to best pursue his case and follow the proper protocol. This is in direct violation of the intent and spirit of **20 CSR 4240-2.070, which governs the formal complaint process**, and **20 CSR 4240-13, which outlines service and billing practices** for residential customers.
2. **Provision of Inaccurate and Misleading Information:** The consistent assertion by multiple PSC employees that all utilities automatically enroll customers in a budget billing plan without consent upon receiving a third-party pledge is a significant piece of misinformation. Such an action would fundamentally violate a customer's right to manage their own account. The employees' inability to cite a specific regulation to support this claim further demonstrates a lack of understanding or a willful misrepresentation of the rules. The PSC's own **Cold Weather Maintenance of Service rule, 20 CSR 4240-13.055**, details the terms of payment agreements. This rule allows for a pledge from an agency like LIHEAP to be considered a payment, but it does **not** grant the utility the right to unilaterally alter a customer's billing plan without their consent. The rule only describes how a customer can enter into a budget payment plan; it does not authorize a utility to force one upon them.
3. **Lack of Transparency and Accountability:** The combined effect of the procedural failures and the provision of false information creates an appearance of a lack of transparency and accountability. The Complainant was not only denied his right to follow the correct process but was also actively misled by representatives of the very agency tasked with protecting consumers. The subsequent disconnection of both calls and the failure to follow up only exacerbates this issue. The PSC, as an institution, must be compelled to provide a formal, written response to clarify its official position on these matters and take corrective action.

III. Requested Relief

WHEREFORE, the Complainant respectfully requests that this Honorable Commission issue an Order:

1. Compelling the PSC to provide a formal, written response to the Complainant explaining the failure of its staff to inform him of the informal, formal, and small formal complaint processes and provide him with the required forms, as required by **20 CSR 4240-2.070**.
2. Compelling the PSC to provide a specific, verifiable citation to the public utility regulation, if one exists, that would permit a utility to unilaterally enroll a customer in a budget billing program without their consent after a third-party pledge is made.
3. Compelling the PSC to provide a formal, written response to the Complainant addressing the conduct of the employees who provided inaccurate information and disconnected the calls on June 27, 2025.
4. Granting any other relief the Commission deems just and proper to ensure the integrity of its consumer complaint process.

Respectfully Submitted,

Jonathan Miller,

Complainant

Dated: September 16, 2025

EXHIBIT A: Transcripts of Calls with the Missouri Public Service Commission on June 27, 2025

- (Exhibit to be filed separately as a supporting document.) *