

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Jonathan Miller

Complainant

v

Spire Missouri Inc d/b/a Spire

Respondent

File No GC-2026-0007

COMPLAINANT'S RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION FOR SUMMARY DETERMINATION

COMES NOW the Complainant **Jonathan Miller Pro Se** and files this Response in Opposition to Respondent Spire Missouri Inc's Motion for Summary Determination (filed October 30 2025) pursuant to Commission Rule **20 CSR 4240-2117(1)(C)** The Complainant asserts that the Motion must be **DENIED** because **genuine issues of material fact and law** remain in dispute regarding systemic violations of public interest that extend far beyond the single corrected billing error

I. RESPONSE TO RESPONDENT'S STATEMENT OF MATERIAL FACTS

The Complainant responds to Spire's listed **Material Facts** as follows

Spire's Numbered Fact	Complainant's Response
1. On January 27 2025 Complainant's wife called Respondent's customer service line stating an inability to pay Complainant's January 2025 bill for natural gas service	ADMIT
2. At the time of the phone call Complainant's account had \$ [REDACTED] in arrears	ADMIT
3. Respondent's CSR queried Respondent's billing system and provided Complainant's wife a quote for a cold weather payment plan	ADMIT
4. A cold weather payment plan has both an arrearage component and a budget billing component	ADMIT

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| 5. Complainant's wife advised Respondent's CSR that she could not pay the initial amount | ADMIT |
| 6. Respondent's CSR transferred Complainant's wife to 211 | ADMIT |
| 7. Without receiving the initial payment amount Respondent's CSR inadvertently enrolled Complainant in the budget billing component | ADMIT |
| 8. The first budget billing amount was displayed on the bill generated on February 5 2025 | ADMIT |
| 9. On February 19 2025 after Complainant had already been enrolled in budget billing Complainant received a pledge from a third-party organization | ADMIT |
| 10. On May 5 2025 Respondent's billing system terminated Complainant's budget billing plan | ADMIT |
| 11. On June 27 2025 Complainant contacted Respondent regarding his account and discovered he had been placed on budget billing | ADMIT |
| 12. On June 30 2025 Respondent credited Complainant \$ [REDACTED] representing the amount that was deferred | ADMIT |

II. ADDITIONAL MATERIAL FACTS IN DISPUTE

The Complainant asserts that the following **material facts are not genuinely resolved** and prevent summary determination

A. Material Facts Related to Data Security and Unauthorized Disclosure

1. **Fact in Dispute** While complying with a discovery request Spire **inadvertently disclosed another customer's confidential recorded calls and personal information** (including account number credit card information customer name and address) to the Complainant (Staff Report Section E)

2. **Additional Material Fact in Dispute Reciprocal Disclosure Risk** The fact that Spire's employees mistakenly sent a confidential third-party customer's files to the Complainant creates a material and reasonable **inference that the Complainant's own confidential records were simultaneously or subsequently sent to other unauthorized customers**

- **Issue** This confirmed error reveals a **systemic failure in Spire's secure data transmission protocols** The Complainant cannot independently confirm that his data was not compromised which must be resolved before the case is dismissed

B. Material Facts Related to Systemic Vulnerability (Single Keystroke Error)

3. **Fact in Dispute** Spire's software allows a CSR to execute a **critical account change** (budget plan enrollment) for the Complainant with a **single unconfirmed accidental keystroke** (Staff Report Section C)

- **Issue** Whether this system design constitutes a **systemic failure to provide adequate and safe service** under **§ 393.140 RSMo** for all customers

C. Material Facts Related to Security Policy and Lack of Oversight

4. **Fact in Dispute** Spire's security policy allows a **non-account holder** to gain **full account access** and perform sensitive actions by verifying only the **"last four digits of the account holder's Social Security number"** (Staff Report Section D)

- **Issue** Whether this policy is **reasonable adequate and consistent with modern industry standards** for PII security
- **GENUINE ISSUE OF FACT REQUIRING AUDIT** The evidence necessary to prove or disprove the adequacy of Spire's IT security and the extent of the unauthorized disclosures is **entirely within the Respondent's proprietary records** Therefore the Complainant is unable to contest Spire's claims of "no violation" without the **system-wide audit** requested in the Complainant's Exceptions

III. LEGAL MEMORANDUM IN OPPOSITION TO SUMMARY DETERMINATION

A. The Case Scope Extends Beyond the Initial Billing Error

Spire improperly attempts to limit the scope of this case solely to the corrected unauthorized budget billing enrollment (Facts 1-12) The **Commission Rule 20 CSR 4240-2070(13)** permits the joinder of all matters founded upon the Complaint The Staff investigation revealed **independent systemic violations** that are now part of the formal record and must be resolved by the Commission on their merits not dismissed on a technicality

B. Genuine Issues of Law and Public Interest Remain in Dispute

Spire's Motion must be **DENIED** because the resolution of this case concerns the **legal standard of public safety and adequate service** for all Spire customers

1. **Dispute over Legal Conclusion** The Complainant's Exceptions challenge the Staff's legal conclusion of "no violation" regarding the **unauthorized disclosure of credit card and confidential PII** This is a **genuine issue of law** that must be decided by the Commission

2. **Dispute over Discovery and Proof** The undisputed fact that Spire sent another customer's confidential file to the Complainant creates a **genuine issue of fact** regarding the systemic

security risk and the **risk of reciprocal data compromise** The Complainant cannot provide definitive proof of this security failure because the **evidence rests entirely within Spire's proprietary systems** Summary determination should be denied and the Complainant's request for a **system-wide IT audit** must be granted to resolve this material factual dispute in the public interest

3. **Contrary to Public Interest Commission Rule 20 CSR 4240-2117(1)(E)** allows for summary determination only if it is determined to be **"in the public interest"** Granting the motion when the record confirms an **unauthorized disclosure of confidential customer data** an **easily exploited system vulnerability** and an **inadequate security policy** would be **contrary to the public interest** as it would insulate Spire from necessary systemic oversight

WHEREFORE Complainant Jonathan Miller respectfully requests that the Missouri Public Service Commission **DENY** Respondent's Motion for Summary Determination and proceed to resolve the genuine and material issues of law and public interest raised in the Complainant's Exceptions to the Staff Report

Respectfully submitted

Jonathan Miller

Complainant

Pro Se

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Email [REDACTED]

October 30 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Complainant's Response in Opposition to Respondent's Motion for Summary Determination has been served via electronic mail to all counsel of record listed on the official Docket Sheet this 30th day of October 2025

To Counsel of Record for Spire (Respondent) Name [REDACTED] Email

[REDACTED]

To Counsel for Staff Name [REDACTED] Email [REDACTED] Name [REDACTED]

Email [REDACTED]

Jonathan Miller

Complainant

Pro Se