

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Spire)
Missouri Inc. d/b/a Spire for Permission and)
Approval and a Certificate of Convenience)
and Necessity to Construct, Install, Own,) **File No. GA-2021-0259**
Operate, Maintain, and Otherwise Control and)
Manage a Natural Gas Distribution System to)
Provide Gas Service in Buchanan County,)
Missouri as an Expansion of its Existing)
Certificated Areas)

ORDER DIRECTING NOTICE, SETTING DEADLINE FOR INTERVENTION REQUESTS, AND DIRECTING FILING OF STAFF RECOMMENDATION

Issue Date: February 16, 2021

Effective Date: February 16, 2021

On February 15, 2021, Spire Missouri Inc. d/b/a Spire filed an application which seeks permission and approval for a certificate of convenience and necessity (CCN) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in Buchanan County, Missouri, as a further expansion of Spire's existing certificated area. Spire also requests waiver of the Commission's rule requiring sixty days' notice prior to filing an application.

Spire seeks a service area CCN to provide gas to a single project where a developer has contacted Spire with a need for a distribution system extension to service 34 single-family residential lots. Natural gas service is not currently offered in the area for which a CCN is being requested. Rates for the proposed area will be those approved for customers in the adjoining Spire certificated areas.

The Commission will direct notice of the application be given to the Buchanan County Commission, local newspapers, and members of the General Assembly

representing residents of Buchanan County. The Commission will set a deadline for interested parties to intervene. The Staff of the Missouri Public Service Commission (Staff) will be directed to file a recommendation with regard to said application.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall provide a copy of this order and the Application to the County Commission of Buchanan County, Missouri.
2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the General Assembly representing Buchanan County and to the media serving that county.
3. Any person wishing to intervene in this matter shall file an application to intervene no later than March 17, 2021. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission. Comments on Spire's application may also be made in EFIS.
4. No later than April 16, 2021, Staff shall file a recommendation regarding Spire's application.
5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on the 16th day of February, 2020.

In the Matter of the Application of Spire Missouri Inc., for)
Permission and Approval and a Certificate of Convenience and)
Necessity to Construct, Install, Own, Operate, Maintain, and) Case No. _____
Otherwise Control and Manage a Natural Gas Distribution)
System to Provide Gas Service in Buchanan)
County, Missouri as an Expansion of its)
Existing Certificated Areas.)

COMES NOW Spire Missouri Inc. (“Spire” or the “Company”), by and through its undersigned counsel, and, pursuant to Section §393.170 RSMo, and Commission Rules 20 CSR 4240-2.060 and 20 CSR 4240-3.205, requests permission and approval for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a natural gas distribution system to provide gas service in Buchanan County, Missouri, as a further expansion of its existing certificated area. Pursuant to Commission Rule 20 CSR 4240-4.017(1)(D), the Company also requests a waiver from the notice provisions of Rule 20 CSR 4240-4.017(1). In support of this request, Spire respectfully states as follows to the Missouri Public Service Commission (“Commission”):

- 1

3. Spire is engaged in the business of distributing and transporting natural gas to customers in Missouri as a gas corporation subject to the jurisdiction of the Commission. Spire provides gas service in Missouri to customers in the City of St. Louis and the Counties of St. Louis, St. Charles, Crawford, Jefferson, Franklin, Iron, St. Genevieve, St. Francois, Madison, Butler, Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Newton, Pettis, Platte, Ray, Saline, Stone, and Vernon.

4. Other than cases that have been docketed at the Commission, Spire has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three years that involve customer service or rates. Spire has no annual report or assessment fees that are overdue.

5. All correspondence, communications, notices, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and to:

Wesley E. Selinger
Director, Rates and Regulatory Affairs
Spire Missouri Inc.
700 Market Street, 5th Floor
St. Louis, Missouri 63101
(314) 230-5867
wes.selinger@spireenergy.com

6. Spire seeks a service area CCN to provide gas to a single project located in Sections 36 and 31, Township 55 North, Ranges 34 and 35 West of Buchanan County in Missouri. The listed sections above are areas where a developer has contacted Spire with a need for a distribution system

extension to service 34 single-family residential lots. The legal descriptions of the new areas are set forth in the attached Appendices. Attached as Appendix 1 is a plat drawn to a scale of one-half inch (1/2") to the mile on maps comparable to county highway maps issued by the Missouri Department of Transportation or a plat drawn to a scale of two thousand feet (2,000') to the inch. Natural gas service is not currently offered by an unregulated or other regulated entity in any of the areas for which a CCN is being requested.

7. The rates for the proposed area will be those approved and in effect for the customers in the adjoining Spire certificated areas, until such rates may be changed by approved tariff or order of the Commission. Spire estimates the proposed project will result in additional customers within the developer's planned 34 single-family residential lots. Spire acknowledges that there might be an opportunity to add additional customers along the route in the future, but is currently focused on the distribution system extension requested by this developer. The name and address of the developer and landowner associated with the development can be found in Appendix 2 which has been identified as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)1 because it contains information relating directly to specific customers. Estimated project revenues and expenses for the first three years of operations are shown in the feasibility study attached as Appendix 3. Appendix 3 has been identified as Confidential pursuant to Commission Rule 20 CSR 4240-2.135(2)(A)3 and 4 because it contains information regarding market-specific information. No external financing will be required for construction related to this project.

8. Spire holds all necessary franchises and permits from municipalities, counties, or other authorities that are required for Spire to serve the subject areas. Documentation that provides assent from Buchanan County can be found in Appendix 4. Included in Appendix 5 is a signed

affidavit of Clifford Garrett, Manager of Residential Development for Spire Missouri, asserting that all information regarding this proposed CCN is accurate and truthful.

9. Spire's experience in the operation of natural gas systems gives it the ability to provide this service in an efficient manner. For all reasons set forth herein, a grant of the application will further the public convenience and necessity.

REQUEST FOR WAIVER FROM 60-DAY NOTICE RULE

12. Commission Rule 20 CSR 4240-4.017(1) provides, in part, as follows:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the commission that occurred in the ninety (90) days prior to filing the notice.

13. Rule 20 CSR 4240-4.017(1)(D) permits a party to request a waiver of the above cited rule for good cause. The rule provision specifically provides that good cause may be established by submitting a verified declaration that the filing party has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case. The Company interprets this to mean that good cause is established if the filing party has had no communication with a member of the office of the Commission outside of pleadings or other public communications. Subject to that understanding, the Company has attached to this request a verified declaration that neither the Company nor any person or entity acting on behalf of the Company, has had a communication with a member of the office of the Commission in the last 150 days regarding any substantive issues that are likely to arise in the case. For that reason, the Company requests that the Commission grant a waiver of the 60-day notice requirement for Spire Missouri's application for a CCN in Buchanan County.

WHEREFORE, Spire requests, for good cause shown, that the Commission waive the notice requirement of 20 CSR 4240-4.017(1), approve this Application, issue a CCN to Spire as set forth above and in the attached schedules, and grant such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Rachel L. Niemeier

Matthew Aplington MoBar #58565
General Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
(314) 342-0785 (Office)
Email: matt.aplington@spireenergy.com

Goldie T. Bockstruck MoBar #58759
Director, Associate General Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
314-342-0533 Office
314-421-1979 Fax
Email: Goldie.Bockstruck@spireenergy.com

Rachel Lewis Niemeier MoBar #56073
Regulatory Counsel
Spire Missouri Inc.
700 Market Street, 6th Floor
St. Louis, MO 63101
314-390-2623 Office
Email: rachel.niemeier@spireenergy.com

ATTORNEYS FOR SPIRE MISSOURI INC

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 15th day of February, 2021.

General Counsel's Office
Missouri Public Service Commission
staffcounsel@psc.mo.gov

Office of the Public Counsel
opcservice@ded.mo.gov

/s/ Rachel L. Niemeier

In the Matter of the Application of Spire Missouri Inc., for)
Permission and Approval and a Certificate of Convenience and)
Necessity to Construct, Install, Own, Operate, Maintain, and) Case No. _____
Otherwise Control and Manage a Natural Gas Distribution)
System to Provide Gas Service in Buchanan)
County, Missouri as an Expansion of its)
Existing Certificated Areas.)

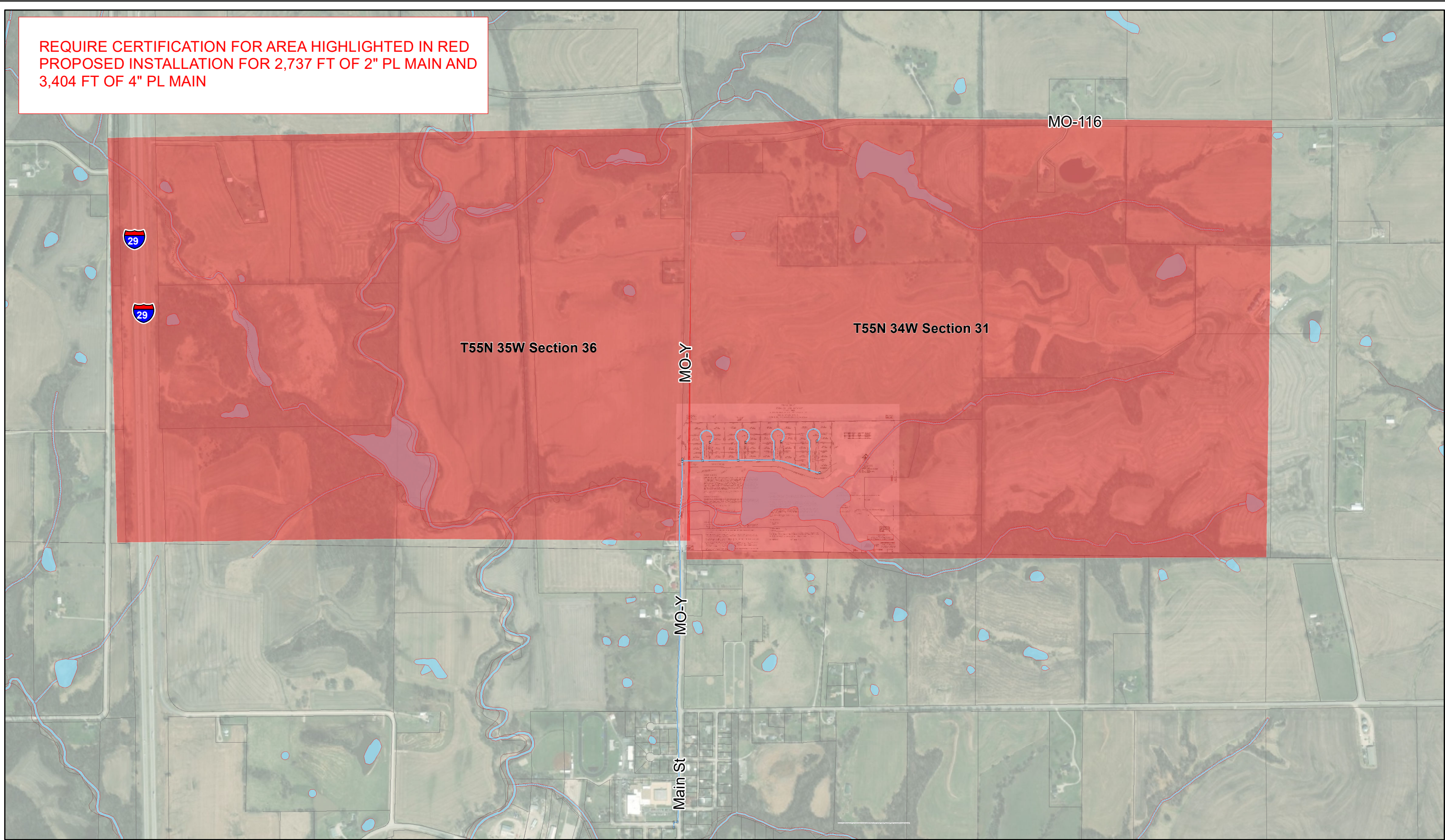
[illegible]

/s/ Clifford Garrett

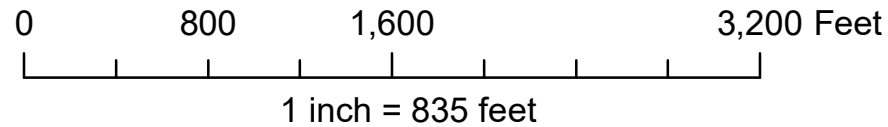
February 15, 2021

6

REQUIRE CERTIFICATION FOR AREA HIGHLIGHTED IN RED
PROPOSED INSTALLATION FOR 2,737 FT OF 2" PL MAIN AND
3,404 FT OF 4" PL MAIN



Job Description: Paradise Lake Estates



Maximo Work Order: 21129217
Project #: 803722



Buchanan County CCN

Names & Addresses Associated with Paradise Lakes Estates

**Marked Confidential pursuant to 20 CSR
4240-2.135(2)(A) 1**

Land Parcel Associated with Paradise Lakes Estates

Year 1 Year 2 Year 3

Revenue

Expenses

Operating Expense

Depreciation

Property Tax

Total Expense

Fixed Charge + ISRS

Volumetric Revenue

Total

O&M Expense

Total Customers

Expense per Customer

Total Investment

Property Tax %

Tax

Depreciable Plant

Rate

Depreciation

**Marked as Confidential pursuant to 20 CSR
4240-2.135(2)(A)3 and 4**

AN ORDER OF THE COUNTY COMMISSION OF BUCHANAN COUNTY, MISSOURI GRANTING TO SPIRE MISSOURI, ITS SUCCESSORS AND ASSIGNS, AN ASSENT TO USE OF THE RIGHT OF WAY LOCATED ON PUBLIC ROADS OR HIGHWAYS OF BUCHANAN COUNTY, MISSOURI, FOR THE PURPOSE OF INSTALLING, MAINTAINING AND PROVIDING NATURAL GAS DISTRIBUTION SERVICE AND RELATED FACILITIES

WHEREAS, Buchanan County, Missouri (the "County") is a first-class county and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and

WHEREAS, Spire Missouri, Inc. ("Spire Missouri") is a Missouri corporation duly authorized to conduct business in Missouri and is engaged in the construction and operation of natural gas distribution facilities in Missouri; and

WHEREAS, Spire Missouri intends to request and obtain a Certificate of Convenience and Necessity from the Missouri Public Service Commission, recognizing that projects to be placed in service by the Company in Buchanan County are in the public interest and authorizing it to construct natural gas distribution facilities in Southwest Missouri and, specifically, in the County; and

WHEREAS, Spire Missouri anticipates utilizing the public roads and highways of the County as construction routes; and

WHEREAS, Spire Missouri intends to install natural gas distribution facilities under the public roads and highways of the County; and

WHEREAS, the County, acting by and through its County Commission, desires to grant to Spire Missouri its assent authorizing Spire Missouri to construct, install and maintain natural gas facilities under the public roads or highways of the County.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE COUNTY COMMISSION OF BUCHANAN COUNTY, MISSOURI, AS FOLLOWS:

Section 1. There is hereby granted to Spire Missouri, its successors and assigns, the assent of Buchanan County (the "County") pursuant to section 229.100, RSMo. of the Revised Statutes of Missouri for the use of the right of way located on public roads and highways of Buchanan County, Missouri, for the construction of natural gas distribution or related facilities through, on, under, and across said public roads or highways, subject to the terms and conditions of the Agreement described in Section 2. Notwithstanding the foregoing, the assent granted herein shall not be invalidated by the subsequent repeal of section 229.100 of the Revised Statutes of Missouri.

Section 2. The County Commission ratifies, approves, adopts and authorizes the Right-of-Way Agreement attached hereto and incorporated herein by reference as

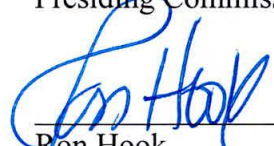
Attachment 1.

Section 3. Lee Sawyer, Presiding Commissioner, is hereby authorized and directed to execute and deliver the agreement set forth in Attachment 1, and such other documents as may be necessary to carry out and comply with the intent of this Order and the transactions contemplated herein. The County Commission is hereby authorized and directed to take such further action, and execute such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Order with respect to the transactions contemplated in the agreement set forth in Attachment 1.

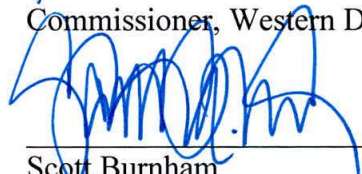
RESOLVED AND ORDERED this 11th day of February, 2021.



Lee Sawyer
Presiding Commissioner

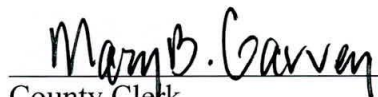


Ron Hook
Commissioner, Western District



Scott Burnham
Commissioner, Eastern District

ATTEST:



Mary B. Garvey
County Clerk

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Spire Missouri	)	
Inc. for a Certificate	)	
of Convenience and Necessity to Construct, Install,	)	
Own, Operate, Maintain, and Otherwise Control	)	Case No:
and Manage a Natural Gas Transmission Line to	)	
Provide Gas Service to a single customer in Buchanan	)	
County not served by Natural Gas	)	
Expansion of its Existing Certificated Areas.	)	

AFFIDAVIT

STATE OF MISSOURI	)	
	)	SS.
COUNTY OF ST. LOUIS	)	

Clifford Garrett, of lawful age, being first duly sworn, deposes and states:

1. My name is Clifford Garrett. I am Manager, Residential Business Development for Spire Missouri Inc. My business address is 700 Market St., St. Louis, Missouri, 63101.
2. The purpose of this affidavit is to comply with Commission Rule 20 CSR 4240-3.205(1)(D) and 4240.060(1)(M) requiring Spire to file a certified copy of the document granting it the necessary consent or franchise or an updated affidavit attesting that it has received the necessary county consent for the requested service territory expansion.
3. Spire received a written and signed consent letter from the Buchanan County Commission on February 11, 2021. The Buchanan County Commission's signed consent letter has been included in this Appendix.
4. Under penalty of perjury, I hereby declare that the information contained herein, and in the attached documents is true and correct to the best of my knowledge and belief.

/s/ Clifford Garrett

Clifford Garrett

February 15, 2021

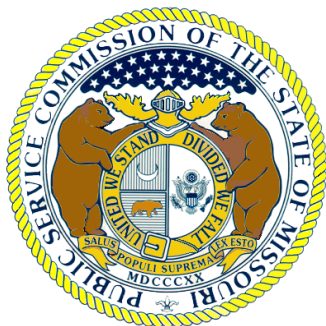
Dated

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 16th day of February, 2021.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 16, 2021

File/Case No. GA-2021-0259

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

County of Buchanan, Missouri

County Commission Clerk
411 Jules, Rm. 121
Buchanan County Courthouse
St. Joseph, MO 64501
MaryBaack-
Garvey@co.buchanan.mo.us

Spire

Matthew Aplington
700 Market Street
Saint Louis, MO 63101
matt.aplington@spireenergy.com

Spire

Goldie Bockstruck
700 Market Street
St. Louis, MO 63101
goldie.bockstruck@spireenergy.com

Spire

Rachel Niemeier
700 Market Street
St. Louis, MO 63101
rachel.niemeier@spireenergy.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.