BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED
October 23, 2026
Missouri Public
Service Commission

Brett Felber,
Complainant,
Vs.
Spire Missouri Inc. d/b/a Spire,
Respondent.

File No. GC-2027-0114

COMPLAINANT'S REPLY TO SPIRE'S RESPONSE AND OPPOSITION TO MOTIONS TO DISMISS

COMES NOW Complainant Brett Felber, pro se, and submits this Reply to Respondent Spire Missouri Inc.'s Response to Complainant's Motion for Immediate Restoration of Gas Service and for Production of Documents and Motions to Dismiss, stating as follows:

I. SPIRE CREATED THE PERSONAL ACCOUNT AND WAS ON NOTICE OF THE CHURCH'S WINDING DOWN

Spire's Response admits that on or around September 10, 2026, Complainant called to start service in his personal name at [redacted] and that Account Number [redacted] was created. Spire further admits a deposit was assessed and that a bill was later generated for that account.

During that call, Complainant clearly informed the Spire representative that the Church of Jesus and Hope was dissolving and winding down, and that this was the reason service was being established in the personal name. Complainant directed that any statements or notices be sent to the registered agent:

PSM REGISTERED AGENT LLC
3706 SW Topeka Blvd Ste 200
Topeka, KS 66609

On September 10, 2026, Complainant also provided a letter to Spire's credit office in Birmingham, Alabama, at:

Spire Alabama Inc. / Spire Credit Office
605 Richard Arrington Jr Blvd N
Birmingham, AL 35203

Complainant demands that Spire produce a copy of the audio recording of the September 2026 account-creation call, which will confirm that Mr. Felber told Spire the company was dissolving and winding down in Missouri. Mr. Felber also informed Commission staff on October 23, 2026 that the business had dissolved.

Spire is now openly admitting on the record that it wants to keep service active for a business that no longer exists, despite Complainant's September notice that the church was dissolving and

winding down. Spire is offering after-the-fact excuses that avoid addressing the creation of the personal account.

II. ACTIVE DISPUTE ON THE CHURCH ACCOUNT, ILLEGAL SEPTEMBER DISCONNECTION, LACK OF MAILED NOTICE, AND CONDITIONING OF RESTORATION

Spire's Response fails to inform the Commission that there is an active complaint dispute on the Church of Jesus and Hope account (Account Number [redacted]) under case numbers [redacted] and [redacted]. Complainant has already furnished a copy of that dispute information to Spire's counsel.

Spire also committed an illegal disconnection of service to the premises during a billing cycle in September of 2026. Spire should address this illegal disconnection. Spire never mailed Mr. Felber a proper notice of discontinuance; in fact, Spire did the opposite by deducting funds from Complainant's bank account for the bill while failing to provide the required mailed notice.

Spire's counsel is conditioning restoration of service upon payment or resolution of the disputed items on the church account. Spire is not disclosing this conditioning to the Commission. Spire's claim that the cause for discontinuance has not been eliminated is far from the truth when the underlying balance remains subject to an active dispute of which Spire's counsel is aware.

Conditioning restoration on a disputed balance, while omitting the existence of the active dispute, the illegal September disconnection, and the lack of mailed notice from the Commission, demonstrates a transparency problem that the Commission should address.

III. THE PERSONAL ACCOUNT AND CHURCH ACCOUNT ARE LEGALLY DISTINCT; SPIRE'S DEFLECTION AND REQUIRED WRITTEN NOTICE OF REFUSAL

A Missouri corporation or church entity is a separate legal person from the individual. The accounts are identified by different identifiers—an EIN for the church account ([redacted]) and a Social Security number for the personal account ([redacted]). Spire cannot demand that Mr. Felber pay a bill of a separate corporation or entity.

20 CSR 4240-13.050(2) provides that none of the following shall constitute sufficient cause for discontinuance:

> *(D) The failure to pay the bill of another customer, unless the customer whose service is sought to be discontinued received substantial benefit and use of the service billed to the other customer; or*
>
> *(E) The failure of a previous owner or occupant of the premises to pay an unpaid or delinquent bill except where the previous occupant remains an occupant or user.*

These provisions, together with the distinct legal status of a corporation (EIN) versus an individual (SSN), prohibit Spire from demanding that Complainant personally pay the bill of the separate church/corporate entity absent proof of substantial benefit and use of the service billed exclusively to that entity. Section 393.130, RSMo, further prohibits undue preference or prejudice.

Spire's Response attempts to deflect away from the creation of the personal account. Spire does not want to address the personal account because doing so lists multiple violations of Commission rules and Spire's tariffs, including the failure to activate service, the failure to provide required written notice of refusal, and the improper conditioning of service on a separate entity's disputed balance.

20 CSR 4240-13.035 (Denial of Service) requires that when a utility refuses to provide service to an applicant, it shall inform the applicant in writing and shall maintain a record of the written notice. The notice must contain the name and address of the applicant, the address where service is requested, how the applicant may comply, a telephone number, and other required information. Spire should produce a copy of any denial letter if it denied service personally, including the address to which it was sent and the date of mailing. Spire has not provided the required written notice explaining why service was refused on the personal account.

Creating the personal account, assessing a deposit, generating a bill, deducting funds from Complainant's bank account, and later issuing the October 23, 2026 letter confirming Complainant as a customer on Account [redacted] are inconsistent with Spire's claim that the personal account has no connection to service. Spire's after-the-fact excuses do not cure the failure to provide the written notice required by 20 CSR 4240-13.035 or the failure to mail a proper notice of discontinuance.

IV. SPIRE'S OCTOBER 23, 2026 LETTER CONFIRMING PERSONAL CUSTOMER STATUS AND RESTORATION DUTY

Spire's October 23, 2026 letter on Account [redacted] (attached as Exhibit A) expressly states that Spire is "happy to have [Complainant] as a Spire customer" and confirms service "to Present." This letter confirms personal customer status on the account Spire claims was never attached to the premises.

20 CSR 4240-13.050(12) requires:

> *"Upon the customer's request, a utility shall restore service consistent with all other provisions of this chapter when the cause for discontinuance has been eliminated, applicable restoration charges have been paid and, if required, satisfactory credit arrangements have been made. At all times, a utility shall make reasonable effort to restore service upon the day service restoration is requested, and in any event, restoration shall be made not later than the next working day following the day requested by the customer."*

Spire's tariff (Rules and Regulations, Sheet R-13 – Reconnection of Service) contains parallel language. Section 393.130, RSMo, requires every gas corporation to furnish safe and adequate service that is just and reasonable and prohibits undue preference or prejudice.

Section 386.570, RSMo provides a penalty of not less than one hundred dollars nor more than two thousand dollars for each offense for violations of law, Commission rules, tariffs, or orders, with each day of a continuing violation constituting a separate and distinct offense.

V. OPPOSITION TO MOTIONS TO DISMISS

Spire's Motion to Dismiss for Failure to State a Claim under 20 CSR 4240-2.070(7) and for good cause under 20 CSR 4240-2.116(4) should be denied. The Complaint alleges violations of notice

and restoration rules, and Spire's own Response confirms creation of the personal account while refusing to activate or restore service on it. These facts state a claim under § 386.390.1, RSMo, for violation of Commission rules and Spire's tariff. The September call regarding dissolution, the September 10 letter to the credit office, the illegal September disconnection, the lack of mailed notice, the bank deduction, the active dispute on the church account (case numbers [redacted]) already provided to Spire's counsel, the failure to provide written notice of refusal under 20 CSR 4240-13.035, the October 23 letter confirming personal customer status, and the distinct legal status of the accounts further support the claim.

VI. REQUEST FOR RELIEF

WHEREFORE, Complainant respectfully requests that the Commission:

1. Deny Spire's Motions to Dismiss;
2. Order Spire to produce the audio recording of the September 2026 account-creation call and any related notes;
3. Order Spire to produce a copy of any denial letter of personal service, including the address to which it was mailed and the date of mailing;
4. Order Spire to address the active dispute on the church account (case numbers [redacted]), the illegal September 2026 disconnection, the lack of mailed notice, and cease conditioning restoration upon disputed items of a separate entity;
5. Order Spire to provide the written notice of refusal of service required by 20 CSR 4240-13.035 if it continues to refuse service on the personal account;
6. Order immediate restoration of service consistent with 20 CSR 4240-13.050(12) and Spire's tariff; and
7. Grant such other relief as the Commission deems just and proper, including any applicable penalty under § 386.570, RSMo.

Respectfully submitted,

Brett M. Felber
Pro Se Complainant
[redacted]
[redacted]
October 23, 2026