BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Brett Felber,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. GC-2027-0114
	)	
Spire Missouri Inc., d/b/a Spire	)	
	)	
Respondent.	)	

MOTION IN SUPPORT OF DISMISSAL

COMES NOW, the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its *Motion in Support of Dismissal*, states as follows:

1. On October 19, 2026, Brett Felber ("Complainant"), filed a Formal Complaint ("Complaint") with the Missouri Public Service Commission, assigned Case No. GC-2027-0114. Complainant subsequently filed *Complainant's Supplemental Exhibit Filing and Demand for Fines and Damages* (Supplement).

2. The *Complainant* and *Supplement* alleges Spire Missouri Inc. ("Spire") violated its own tariff (P.S.C. MO. No. 9) and Commission regulation 4240-13.050 by failing to provide written notice of discontinuance; failing to make reasonable efforts to contact the complainant twenty-four hours before disconnection; failing to leave proper notice at the residence; and by unlawfully disconnecting service at the location. Complainant requests for relief include imposing fines upon Spire; awards of actual and punitive damages to Complainant; and the immediate restoration of gas service at the residence in question.

3. On October 19, 2026, the Commission ordered the *Complaint* and *Supplement* to proceed under the Commission's formal complaint procedure. The Commission also ordered Staff to investigate the *Complaint* and to file a report with the Commission no later than December 18, 2026.

4. On October 20, 2026, the Complainant filed a *Motion for Immediate Restoration of Gas Service and for Production of Documents* ("Motion"), stating that the Company had accepted his payment of $21.75 on Account Number 1496510000 but refused to restore service.

5. On October 20, 2026, the Commission issued its *Order Directing Response*, ordering Spire to respond to the Complainant's Motion no later than October 23, 2026.

6. On October 23, 2026, Spire filed its *Response to Complainant's Motion and Motions to Dismiss*, in part claiming Spire has committed no violation of any rule, tariff, order, statute upon which relief may be granted.

7. On October 26, 2026, the Commission issued *Notice of Rejected Filings*, rejecting Complainant's *Notice of Acknowledgment and Demand for Restoration of Service and Request for Maximum Statutory Penalty*; *Acknowledgment of Audio Recording and Supplemental Filing Regarding Personal Account Establishment and Notice Failures*; *Complainant's Reply to Spire's Response and Motions to Dismiss*; *Chronological History of the Missouri Public Service Commission "Shall Leave" Notice Requirement for Residential Utility Discontinuance 20 CSR 4240-13.050(9) (formerly 4 CSR 240-13.050)*; *Request for Immediate Restoration of Service Without Payment, Reconnection Fees, or Deposits Due to*

Unlawful Disconnection in Violation of 20 CSR 4240-13.050(9); and Submission 6 – Untitled ("As another FYI…").

8. On October 26, 2026, the Commission issued an *Order Denying Motion for Restoration of Gas Service*, concluding that the Church of Jesus and Hope is not a party to the complaint, so any allegation of wrongful disconnection or other allegation of rule violation as to its account would need to be filed as a separate complaint; and Spire's argument that there was not a disconnection of the personal account because service was not started under the personal account, which was supported by Spire's claim the deposit was refunded to the Complainant. Ultimately the Commission found that the cause for discontinuance, namely the past due balance linked to the same service address as that requested by Complainant, has not been eliminated.

9. Complaints may be made by any person setting forth any act or thing done or omitted to be done by any corporation, person or public utility in violation, or claimed to be in violation, of any provision of law subject to the commission's authority, of any rule promulgated by the commission, of any utility tariff, or of any order or decision of the commission. § 386.390 RSMo. However, under 20 CSR 4240-2.116(4), a case may be dismissed for good cause found by the commission after a minimum of ten (10) days' notice to all parties involved.

10. Here, the Commission has found that the proper party for these allegations is not a party to the case. The complainant does not have a personal account started at the service address, and the facts presented are misleading. Therefore, the issues alleged in this case are not properly before the Commission, and good cause exists to dismiss the

complaint at this time. Further, finding no proper party for the allegations, the Commission cannot grant the relief requested. Thus, good cause exists to dismiss this complaint. Staff requests the Commission dismiss the case for good cause.

11. Further, any Staff investigation would be moot in light of no active controversy between the parties. Suspension of Staff's ordered report is appropriate until such time as Spire's *Motion to Dismiss* has been ruled upon by the Commission. Staff requests the Commission suspend the filing requirements at this time, and until such time the *Motion to Dismiss* is ruled upon.

WHEREFORE, Staff respectfully submits this *Motion in Support of Dismissal*; and hereby prays the Commission issue the order; and to grant such other and further relief as the Commission considers just and reasonable in the circumstances.

Respectfully submitted,

/s/ Ray Cunneen
Ray Cunneen
Missouri Bar No. 77925
Legal Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-526-0896
Ray.Cunneen@psc.mo.gov

Attorney for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First-Class United States Postal Mail, postage prepaid, on this 30th day of October, 2026, to all counsel of record.

/s/ Ray Cunneen