BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

FILED
November 4, 2026
Missouri Public
Service Commission

Brett Felber,

Complainant,

v. Case No. GC-2027-0114

Spire Missouri Inc. d/b/a Spire,

Respondent.

MOTION FOR SUMMARY DETERMINATION

COMES NOW Complainant Brett Felber, appearing pro se, and pursuant to Commission Rule 20 CSR 4240-2.117, respectfully moves the Commission for summary determination on the issue of Respondent's failure to leave a required notice of discontinuance under 20 CSR 4240-13.050(9), and for related relief as set forth herein.

1. This motion seeks summary determination that Respondent Spire Missouri Inc. d/b/a Spire ("Spire") violated 20 CSR 4240-13.050(9) by failing to leave a notice (door tag) upon the premises when service was discontinued on October 6, 2026, as admitted by Spire in its October 23, 2026 Response to Complainant's Motion for Immediate Restoration of Gas Service and for Production of Documents and Motions to Dismiss.

2. There is no genuine issue of material fact as to Spire's admission that its technician did not leave a door tag. While Spire asserts a safety justification, the fact of non-compliance with the leave-notice requirement is undisputed. Granting summary determination on this discrete issue is in the public interest.

3. The Commission adopted the notice procedures in 20 CSR 4240-13.050, including the mandatory requirement in subsection (9) that the employee leave a conspicuous notice upon the premises when service is discontinued, precisely to establish reasonable and uniform standards protecting residential customers of essential utility service from abrupt or undocumented discontinuances and to ensure customers receive clear information on how to arrange restoration of service.

4. The uncontroverted material facts supporting this motion are set forth in separately numbered paragraphs below, with specific references to the pleadings on file.

UNCONTROVERTED MATERIAL FACTS

1. On October 19, 2026, Complainant filed a Formal Complaint in this case alleging, among other things, that service was disconnected on October 6, 2026, without notice.

2. On October 20, 2026, Complainant filed his Motion for Immediate Restoration of Gas Service and for Production of Documents.

3. On October 23, 2026, Spire filed its Response to Complainant's Motion for Immediate Restoration of Gas Service and for Production of Documents and Motions to Dismiss (Spire's Response).

4. In Paragraph 9 of Spire's Response, Spire states: "The technician did not leave a door tag due to already having spoken with an individual at the home about the disconnection and concerns regarding safety if he approached the door to leave a door tag."

5. In Paragraph 12 of Spire's Response, Spire further states: "while no door tag was left, the technician made the reasonable decision to not approach the front door to leave a door tag, considering his conversation with the individual about the disconnection and safety concerns."

6. Commission Rule 20 CSR 4240-13.050(9) requires that when service is discontinued, the employee shall leave a notice upon the premises in a manner conspicuous to the customer that service has been discontinued and the address and telephone number of the utility where the customer may arrange to have service restored (with a limited safety exception for the initial contact effort).

7. Spire's statements in Paragraphs 9 and 12 of its Response establish that no door tag/notice was left on the premises upon discontinuance of service on October 6, 2026.

8. There is no genuine issue of material fact regarding Spire's failure to leave the required notice under 20 CSR 4240-13.050(9).

WHEREFORE, Complainant respectfully requests that the Commission:

A. Grant this Motion for Summary Determination and find that Spire violated 20 CSR 4240-13.050(9) by failing to leave a notice of discontinuance (door tag) upon the premises on October 6, 2026;

B. Recommend or refer the matter for assessment of the maximum penalty of $2,000 per day under Section 386.570, RSMo, as a continuing violation from October 6, 2026, until service is restored or the date of the Commission's order;

C. Award or recommend actual damages, including lost wages at $300 per day since October 6, 2026, together with punitive damages under common law and Section 510.261, RSMo; and

D. Grant such other and further relief as the Commission deems appropriate.

Respectfully submitted,

/s/ Brett Felber

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Brett Felber

[redacted]

Pro Se Complainant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all parties of record by email or U.S. mail this 4th day of November, 2026.

/s/ Brett Felber

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Brett Felber