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.		

APPLICATION FOR REHEARING

November 5, 2026

COMES NOW Complainant Brett Felber, appearing pro se, and pursuant to Section 386.500, RSMo, and Commission Rule 20 CSR 4240-2.160, respectfully applies for rehearing of the Commission's Order Dismissing Complaint issued November 5, 2026, in Case No. GC-2027-0114. In support of this Application, Complainant states as follows:

I. PROCEDURAL GROUNDS AND TIMELINESS

1. The Order Dismissing Complaint was issued on November 5, 2026, with an effective date of November 15, 2026. Under Section 386.500, RSMo, an application for rehearing must be filed before the effective date of the order. This Application is timely filed on November 5, 2026.

2. Section 386.490, RSMo, provides that an order of the Commission shall take effect and become operative thirty (30) days after service, except as otherwise provided by the Commission. The Commission shortened the effective date in this case. The thirty-day period under Section 386.510, RSMo, for judicial review runs after the denial of an application for rehearing, not as a substitute for the rehearing filing deadline itself.

3. The Order dismissed the complaint for failure to state a claim. Complainant submits that the dismissal was procedurally and substantively erroneous for the reasons set forth below, and that rehearing is required to correct clear error and to permit the Commission to address uncontroverted violations of its own rules.

II. STANDING — ANY AGGRIEVED PERSON MAY FILE A COMPLAINT

4. Section 386.390, RSMo, authorizes any person to file a complaint with the Commission setting forth any act or thing done or omitted to be done by any public utility in violation of any provision of law subject to the Commission's authority, any rule promulgated by the Commission, any utility tariff, or any Commission order or decision. The statute does not require that the complainant have suffered direct monetary damage as a precondition to filing.

5. Commission Rule 20 CSR 4240-2.070 similarly provides that any person aggrieved by a violation of the Commission's rules or the Public Service Commission laws of Missouri relating to utilities may file an informal or formal complaint. The Commission has long recognized broad standing for residential customers and applicants for service to challenge discontinuance, denial of service, and billing practices.

6. Complainant is an aggrieved person within the meaning of these provisions. Spire disconnected gas service at the premises on October 6, 2026, without the required notice, and thereafter refused to commence or restore service on a personal account without the written denial notice required by Commission rule. These actions directly affected Complainant's access to essential residential utility service.

III. SPIRE OPENLY ADMITTED A COMMISSION RULE VIOLATION IN ITS PLEADING

7. 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, Spire openly admitted that it failed to leave the notice required by 20 CSR 4240-13.050(9). The admission appears in Spire's own pleading filed with the Commission:

> *Paragraph 9 of Spire's Response 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."*
>
> *Paragraph 12 of Spire's Response 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."*

8. This is an open admission, made in a filing before the Commission, that Spire violated 20 CSR 4240-13.050(9) by failing to leave a conspicuous notice upon the premises when service was discontinued on October 6, 2026. The limited safety exception in the first sentence of subsection (9) does not excuse the separate, mandatory obligation to leave a notice. There is no genuine issue of material fact on this discrete violation.

9. A utility's open admission of a Commission rule violation in a pleading affects the general public before the Commission. The notice requirements of 20 CSR 4240-13.050 exist to protect all residential customers of essential utility service from abrupt or undocumented discontinuances and to ensure customers receive clear information on how to arrange restoration. When a utility admits non-compliance in a filing before the Commission, the Commission has a duty to address the violation rather than dismiss the complaint without consideration. Dismissal of a complaint in the face of an admitted rule violation undermines the uniform standards the Commission adopted for the protection of the public.

IV. VIOLATION OF 20 CSR 4240-13.050(9) — FAILURE TO LEAVE NOTICE

10. Commission Rule 20 CSR 4240-13.050(9) provides:

> *"Immediately preceding the discontinuance of service, the employee of the utility designated to perform this function, except where the safety of the employee is endangered, shall make a reasonable effort to contact and identify him/herself to the customer or a responsible person then upon the premises and shall announce the purpose of his/her presence. 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."*

11. Spire's admissions in Paragraphs 9 and 12 of its October 23, 2026 Response establish that Spire failed to leave a conspicuous notice upon the premises when service was discontinued on October 6, 2026. Complainant incorporates by reference the Motion for Summary Determination filed November 4, 2026, and the uncontroverted material facts stated therein. The Order Dismissing Complaint did not address compliance with 20 CSR 4240-13.050(9). Dismissal without addressing an admitted rule violation constitutes clear error requiring rehearing.

V. VIOLATION OF 20 CSR 4240-13.035(1) — FAILURE TO PROVIDE WRITTEN DENIAL-OF-SERVICE NOTICE

12. Commission Rule 20 CSR 4240-13.035(1) provides, in relevant part:

> *"When the utility refuses to provide service to an applicant, it shall inform the applicant in writing, and shall maintain a record of the written notice."*

13. The purpose of 20 CSR 4240-13.035 includes protecting an applicant, at the time of application, from being required to pay for bills incurred by other individuals for service from which the applicant did not receive substantial benefit. See also 20 CSR 4240-13.035(2) (utility shall not require an applicant to pay the bill of another customer unless the applicant received substantial benefit and use of the service).

14. After accepting a deposit on the personal account and then refusing to commence or restore service, Spire failed to inform Complainant in writing of the refusal and the specific reason therefor, and failed to maintain a record of any such written notice. This is a direct violation of the mandatory written-notice requirement of 20 CSR 4240-13.035(1). The Order did not address this violation.

VI. SPIRE'S OWN LETTER CONFIRMS COMPLAINANT'S STATUS AS A CURRENT CUSTOMER

15. On October 23, 2026 — the same day Spire filed its Response admitting that no door tag was left — Spire issued a letter to Complainant at [redacted], regarding Account Number [redacted]. The letter states, in relevant part:

> *"Hi BRETT FELBER,*
>
> *We're happy to have you as a Spire customer, and we're looking forward to meeting your energy needs for years to come.*
>
> *You recently asked us to confirm the dates we provided natural gas service for the address listed above. Spire provided service from to Present.*
>
> *We hope this information is helpful. If you need anything else from us, please don't hesitate to give us a call at 800-887-4173. We're available Monday through Friday from 7 a.m. to 7 p.m.*
>
> *As always, we appreciate the opportunity to serve you.*
>
> *Customer Service Team*
> *Spire"*

16. This letter expressly acknowledges Complainant as a current Spire customer and states that Spire "provided service from to Present." Spire cannot simultaneously (a) refuse to leave the required notice under 20 CSR 4240-13.050(9), (b) refuse to commence or restore service without the written denial notice required by 20 CSR 4240-13.035(1), and (c) claim that Complainant lacked customer status or that the complaint fails to state a claim. The Commission cannot dismiss the complaint on the ground that Complainant was not a customer or that service had been properly and finally terminated, because

Spire's own contemporaneous writing confirms customer status and ongoing service "to Present" as of October 23, 2026. A true and correct copy of the letter is attached as Exhibit A and incorporated by reference.

VII. REQUESTED RELIEF

17. Complainant incorporates by reference the Motion for Summary Determination filed November 4, 2026, and the specific relief requested therein. In light of Spire's open admission in its October 23, 2026 pleading, the violations of Commission rules set forth above, and Spire's own letter confirming customer status, Complainant requests that the Commission:

A. Grant rehearing and set aside the Order Dismissing Complaint issued November 5, 2026;

B. 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, as openly admitted in Paragraphs 9 and 12 of Spire's October 23, 2026 Response;

C. Find that Spire violated 20 CSR 4240-13.035(1) by failing to inform the applicant in writing of any refusal to provide service and by failing to maintain a record of such written notice;

D. 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;

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

F. Order Spire to issue any required written notices under 20 CSR 4240-13.035(1) and 20 CSR 4240-13.050(9) and to commence or restore service in compliance with the Commission's rules and Spire's approved tariff; and

G. Grant such other and further relief as the Commission deems just and proper.

WHEREFORE

Complainant respectfully requests that the Commission grant this Application for Rehearing, set aside the Order Dismissing Complaint, find the violations of 20 CSR 4240-13.050(9) and 20 CSR 4240-13.035(1) as set forth herein — including Spire's open admission of the door-tag violation in its own pleading — recommend or refer the matter for assessment of the continuing daily penalty under Section 386.570, RSMo, award or recommend actual and punitive damages as requested, order Spire to comply with the Commission's rules and tariff, and grant such other relief as the Commission deems appropriate.

Respectfully submitted,
Dated: November 5, 2026

/s/ Brett Felber

_____

Brett Felber
[redacted]

[redacted]
Pro Se Complainant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application for Rehearing was served upon all parties of record by email or U.S. mail this 5th day of November, 2026.

/s/ Brett Felber

_____

Brett Felber

EXHIBIT A: Spire letter dated October 23, 2026 (Account No. [redacted]), confirming Complainant as a current customer and service "to Present." (Attached.)

October 23, 2026

BRETT FELBER
[redacted]

Account Number: [redacted]
Service Address:

RE: Service start date confirmation

Hi BRETT FELBER,

We're happy to have you as a Spire customer, and we're looking forward to meeting your energy needs for years to come.

You recently asked us to confirm the dates we provided natural gas service for the address listed above. Spire provided service from to Present.

We hope this information is helpful. If you need anything else from us, please don't hesitate to give us a call at 800-887-4173. We're available Monday through Friday from 7 a.m. to 7 p.m.

As always, we appreciate the opportunity to serve you.

Customer Service Team
Spire