

In the Matter of:

**Spire Missouri Inc. Unanimous Stipulation and Agreement**

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**GO-2016-0332, ET AL.- VOL 5**

*June 02, 2020*

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1 BEFORE THE PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

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4 TRANSCRIPT OF PROCEEDINGS

5 On-The-Record Presentation of  
6 Unanimous Stipulation and Agreement

7  
8 In The Matter Of The Application Of )  
Spire Missouri Inc. To Change Its )  
9 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri West ) GO-2016-0332  
10 Gas Service Territory )  
11 In The Matter Of The Application Of )  
Spire Missouri Inc. To Change Its )  
12 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri East ) GO-2016-0333  
13 Gas Service Territory )  
14 In The Matter Of The Application Of )  
Spire Missouri Inc. To Change Its )  
15 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri West ) GO-2017-0201  
16 Service Territory )  
17 In The Matter Of The Application Of )  
Spire Missouri Inc. To Change Its )  
18 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri East ) GO-2017-0202  
19 Service Territory )  
20 In The Matter Of The Application Of )  
Spire Missouri Inc. To Establish An )  
21 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri East ) GO-2018-0309  
22 Service Territory )  
23 In The Matter Of The Application Of )  
Spire Missouri Inc. To Establish An )  
24 Infrastructure System Replacement ) File No.  
Surcharge In Its Spire Missouri West ) GO-2018-0310  
25 Service Territory )

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June 2, 2020  
Jefferson City, Missouri

Volume 5

NANCY DIPPELL, Presiding  
REGULATORY LAW JUDGE

RYAN A. SILVEY, Chairman  
SCOTT T. RUPP, Commissioner  
MAIDA J. COLEMAN, Commissioner  
JASON R. HOLSMAN, Commissioner

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A P P E A R A N C E S

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P R O C E E D I N G S

1  
2 JUDGE DIPPELL: Let's go ahead and go on the  
3 record. Good morning. This is Case Nos. GO-2016-0332,  
4 0333, and GO-2017-0201 and 0202, and GO-2018-0309 and  
5 0310. These cases are the Application of Spire Missouri  
6 Inc. to Establish an Infrastructure System Replacement  
7 Surcharges in the Spire Missouri East and West  
8 Territories for the various periods from 2016 through  
9 2018.

10 My name is Nancy Dippell. I'm the Regulatory  
11 Law Judge assigned to this matter. We are meeting today  
12 via Webex video and telephone technology due to the  
13 COVID-19 pandemic emergency. I have various parties  
14 online, as well as the Commissioners and Staff and other  
15 witnesses.

16 I'm going to begin by asking the attorneys to  
17 make their entries of appearance. If we could begin  
18 with Spire?

19 MS. BOCKSTRUCK: Good morning, Judge. Can you  
20 hear me okay?

21 JUDGE DIPPELL: I can hear you. Thank you.

22 MS. BOCKSTRUCK: All right. Appearing on  
23 behalf of Spire Missouri, Goldie Bockstruck, Matt  
24 Aplington and Mike Pendergast, 700 Market Street, St.  
25 Louis, Missouri 63101.

1 JUDGE DIPPELL: Thank you. Commission Staff?

2 MR. BERLIN: Thank you, Judge. Appearing on  
3 behalf of the Staff of the Missouri Public Service  
4 Commission is Robert S. Berlin located at the  
5 Commission's offices in Jefferson City at 200 Madison  
6 Street, Jefferson City 65102. Also appearing with me or  
7 available today are Staff witnesses Karen Lyons and  
8 Jeremy Juliette who are auditors from our Kansas City  
9 office and Dave Sommerer from the Jefferson City office  
10 who work on the matter of rate design. Thank you.

11 JUDGE DIPPELL: Thank you. Office of the  
12 Public Counsel?

13 MR. CLIZER: Thank you, Your Honor. John  
14 Clizer appearing on behalf of the Office of the Public  
15 Counsel. Our office is located at 200 Madison Street,  
16 Suite 650, Jefferson City, Missouri 65101.

17 JUDGE DIPPELL: Thank you, Mr. Clizer. All  
18 right. So the way that I thought that we would handle  
19 this today is basically I'm just going to ask if the  
20 parties would present the agreement that you've reached,  
21 tell us about it, and then the Commissioners will be  
22 able to ask questions.

23 If your witnesses need to speak to answer  
24 questions, then I will swear them in at that time, I  
25 will get their name and their position and who they're

1 with, and so forth, and I will swear them in and then  
2 they can answer any questions that there might be.

3           Were the parties intending to offer any  
4 exhibits or is that not necessary at this time?

5 Mr. Berlin?

6           MR. BERLIN: Judge, Staff would offer, of  
7 course, its Direct Report Rebuttal Testimony. If the  
8 Commission is going to take the testimonies into the  
9 record, that would include Staff's exhibits.

10           JUDGE DIPPELL: Had the parties intended the  
11 witness testimony to come into the record?

12           MR. CLIZER: Speaking on behalf of the Office  
13 of the Public Counsel, I don't know that I had intended  
14 that. I was not anticipating presenting evidence.

15           JUDGE DIPPELL: Okay. All right then. Let's  
16 go ahead then and begin with the presentation of the  
17 stipulation. Would Spire like to start us off?

18           MS. BOCKSTRUCK: Sure, Your Honor. Spire  
19 would like to thank the Commission and the RLJ for their  
20 flexibility in giving Spire and the other parties  
21 additional time to reach a final resolution of the 2016,  
22 2017, and 2018 ISRS cases. Spire Missouri, the Staff of  
23 the Commission, and the Office of the Public Counsel  
24 have reached an agreement that cumulatively resolves the  
25 directive by the Missouri Western District Court of

1 Appeals as to all six ISRS cases spanning from 2016  
2 through 2018.

3 As you know, the mandates remanded the cases  
4 back to the Commission in order to determine the amount  
5 of costs relating to the Court's decision on plastics to  
6 be refunded to customers in the 2016 and 2017 ISRS  
7 cases, as well as the amount of costs to be refunded to  
8 customers in the 2018 cases relating to the Court's  
9 decision regarding cast iron and bare steel facilities  
10 not shown to be worn out or deteriorated.

11 Consistent with virtually every settlement, I  
12 should note that none of the parties to this agreement  
13 shall be deemed to have approved or acquiesced in any  
14 ratemaking or procedural principle, a condition that is  
15 specifically set out in paragraph 9 of the agreement.  
16 That said, the parties worked very hard to reach an  
17 agreement on a complicated set of cases and we are very  
18 pleased to have reached a result that is acceptable to  
19 everyone.

20 To resolve all of the cases, the parties have  
21 agreed that Spire Missouri will refund \$15 million to  
22 its customers in the form of a one-time credit on  
23 customer bills. The credit will be applied to customer  
24 bills rendered this August 2020. The residential credit  
25 for Spire East would be \$7.04 per customer bill and for

1 Spire West, \$17.75 per customer bill.

2 The parties also agreed that Spire's current  
3 revenue requirement will remain unchanged. We have here  
4 today Wesley Selinger, Spire's manager of rates and  
5 planning, available for Commission questions. Thank  
6 you.

7 JUDGE DIPPELL: Thank you. All right.  
8 Mr. Chairman, would you like to ask Spire questions at  
9 this time or would you want to hear from anyone else  
10 first?

11 CHAIRMAN SILVEY: Thank you, Judge. I do have  
12 one question and I think it primarily just relates to  
13 Spire. So I'll ask it now, if that's fine with you.

14 JUDGE DIPPELL: Go right ahead.

15 CHAIRMAN SILVEY: So this Stipulation and  
16 Agreement just resolves the six remanded cases from  
17 2016, '17, and '18 appeals, and I know the issues that  
18 are in dispute are different than the 2019 cases, but  
19 this agreement doesn't have any impact on the 2019 cases  
20 currently pending in the appellate court; is that right?

21 MS. BOCKSTRUCK: That is correct.

22 CHAIRMAN SILVEY: Okay. Thank you. That's my  
23 question, Judge.

24 JUDGE DIPPELL: All right. I'm not 100  
25 percent sure, Commissioner Kenney, are you on the line?

1 I don't think he's joined us yet. Commissioner Rupp,  
2 did you have any questions for Spire? I'm seeing him  
3 shake his head no.

4 COMMISSIONER RUPP: None today. Thank you.

5 JUDGE DIPPELL: Commissioner Coleman, did you  
6 have questions? Commissioner Coleman, if you're talking  
7 -- there you are. Commissioner Coleman, are you on the  
8 line? I can see you but not hear you. All right.

9 COMMISSIONER COLEMAN: I am not talking.

10 JUDGE DIPPELL: Now you are talking.

11 COMMISSIONER COLEMAN: But I shouldn't have  
12 been. Somehow my mute jumped off. I'll re-mute.

13 JUDGE DIPPELL: Okay. I'll take that as no  
14 questions. Commissioner Holsman, did you have  
15 questions?

16 COMMISSIONER HOLSMAN: I do not. No  
17 questions.

18 JUDGE DIPPELL: Okay. Thank you, sir. Well,  
19 let me see then. What actions, Ms. Bockstruck, do you  
20 envision from the Commission from here other than  
21 approving the agreement? Are there going to be tariffs  
22 filed to follow this up or how is it going to be  
23 implemented?

24 MS. BOCKSTRUCK: We don't believe that a  
25 tariff filing will be necessary. We would just issue

1 the bill credit in August consistent with the Commission  
2 order, assuming this is approved.

3 JUDGE DIPPELL: So the only action that's  
4 needed from the Commission here to implement this then  
5 is to approve the agreement?

6 MS. BOCKSTRUCK: That's correct.

7 JUDGE DIPPELL: Okay. All right. Mr. Berlin,  
8 did Staff have anything they wanted to present with  
9 regard to the agreement?

10 MR. BERLIN: Briefly, Judge. Staff wants to  
11 emphasize again what Spire had mentioned in its opening  
12 statement that this settlement agreement is the product  
13 of a great deal of negotiation and working together to  
14 be able to best meet the Court's mandate, and we believe  
15 that this settlement agreement is fair, it's reasonable,  
16 it's in the public interest, it provides a refund to the  
17 customer and ratepayer that is in the most expeditious  
18 manner available per the Court's mandate, and we believe  
19 that the Stipulation and Agreement also, of course,  
20 satisfies the Court's mandate as well on the remanded  
21 cases.

22 Other than that, Judge, I have nothing else to  
23 add other than to make any Staff witnesses available  
24 should there be any more technical questions that I may  
25 not be able to answer. Thank you, Judge.

1 JUDGE DIPPELL: Thank you, Mr. Berlin.  
2 Mr. Chairman, did you have any questions for Staff?

3 CHAIRMAN SILVEY: Thank you, Judge.

4 JUDGE DIPPELL: I'm sorry. Was that no?

5 CHAIRMAN SILVEY: I said I do not. Thank you,  
6 Judge.

7 JUDGE DIPPELL: Okay. Thank you.  
8 Commissioner Rupp, did you have any questions for Staff?

9 COMMISSIONER RUPP: Not at this time. Thank  
10 you.

11 JUDGE DIPPELL: Thank you. Commissioner  
12 Coleman, any questions? I don't believe she does.  
13 Commissioner Holsman, any questions from you?

14 COMMISSIONER HOLSMAN: No questions.

15 JUDGE DIPPELL: All right.

16 COMMISSIONER HOLSMAN: No questions.

17 JUDGE DIPPELL: Thank you, sir. We'll go to  
18 OPC then. Does OPC have anything additional they'd like  
19 to add about the agreement?

20 MR. CLIZER: Not overly much. Of course, I  
21 would echo what's been said before, this is obviously  
22 the result of a great deal of negotiation. The OPC is  
23 pleased with the ultimate outcome. The only thing I  
24 would add is to point out that where the emphasis of  
25 this settlement is the finality that we are settling all

1 six of these cases totally and completely and we hope  
2 that they will not have to return before the Commission  
3 at any point in the future, because we have resolved  
4 what we believe to be all of the issues both from remand  
5 and any future problems. That finality is the primary  
6 benefit from this settlement. Other than that, I have  
7 nothing further to add beyond what has already been said  
8 and I'd ask the Commission approve the stipulation.

9 JUDGE DIPPELL: Thank you, Mr. Clizer.

10 Mr. Chairman, any questions for Public Counsel?

11 COMMISSIONER SILVEY: No questions. Thank  
12 you, Judge.

13 JUDGE DIPPELL: Thank you. Are there any  
14 Commissioner questions from Commissioner Rupp?

15 COMMISSIONER RUPP: No, thank you.

16 JUDGE DIPPELL: Commissioner Coleman, any  
17 questions?

18 COMMISSIONER COLEMAN: No questions. Thank  
19 you.

20 JUDGE DIPPELL: Commissioner Holsman, any  
21 questions?

22 COMMISSIONER HOLSMAN: No questions.

23 JUDGE DIPPELL: All right then. Well, I think  
24 that that covers it then unless there are any other  
25 procedural matters that the parties need to bring up

1 before we're done. I appreciate the hard work that  
2 everyone did. I appreciate the ability to take this  
3 online so that we could maintain our social distance in  
4 these interesting times that we're operating in right  
5 now. Are there any other issues from the parties that  
6 need to come before the Commission?

7           Okay. I don't see any. Then I believe that  
8 will conclude this proceeding. Again, thank you all  
9 very much for your participation and thank you for  
10 settling with this agreement. We can go off the record.

11                           (Off the record.)

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*Beverly Jean Bentch*

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Beverly Jean Bentch, RPR, CCR No. 640

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