

In the Matter of Spire, Inc.'s)
Acquisition of EnergySouth, Inc.,)
And Related Matters)

File No. GM-2016-0342

STAFF'S MOTION TO SHORTEN TIME TO RESPOND
AND OBJECT TO DATA REQUESTS AND
MOTION FOR EXPEDITED TREATMENT

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and pursuant to Commission Rules 4 CSR 240-2.090(2), (C) and (D), and 4 CSR 240-2.080(14), hereby moves the Commission to facilitate the investigation ordered by the Commission in its *Order Granting Motion to Open an Investigation and Directing Filing* (“Order”) of July 20, 2016, by reducing the time allowed to respond to Data Requests (“DRs”) from twenty (20) days to eight (8) days, and by reducing the time allowed to object to DRs from ten (10) days to five (5) days, and to do so as quickly as possible. In support whereof, Staff states:

1. In its Order issued on July 20, 2016, the Commission granted the Office of the Public Counsel's motion to open an investigation in this matter and directed Staff to investigate and file a report herein no later than September 2, 2016. The Order also stated that:

The Commission is not determining whether the transactions are subject to the Commission's jurisdiction. But the Commission has a duty to determine whether the transactions threaten Missouri ratepayers. If so, jurisdiction over the transactions may be necessary for an appropriate remedy. Therefore, the Commission will grant the motion and maintain this file as a repository for documents related to an investigation as set forth in the ordered paragraphs.[footnote omitted] *The investigation should be expeditious, so the Commission will set a date for the filing of a report.* (Emphasis added)

2. Commission Rule 4 CSR 240-2.090(2) provides for discovery via DRs and sets the time allowed to respond to twenty (20) days and the time allowed to object to ten (10) days. Given the expedited nature of the investigation ordered by the Commission, Staff prays that the Commission will facilitate its investigation by reducing the time allowed to respond to DRs from twenty (20) days to eight (8) days, and by reducing the time allowed to object from ten (10) days to five (5) days, so that the necessary information can be obtained as quickly as possible. Rule 4 CSR 240-2.090(2), at (C) and (D), states that the time to respond or object may be set by the Commission by order.

3. Staff further prays that the Commission will take up and rule on this motion as quickly as possible, pursuant to 4 CSR 240-2.080(14), so that Staff may begin the investigation ordered by the Commission and can hopefully complete it and file a report by September 2, 2016, as ordered. This motion is being filed as soon as possible.

4. The relief requested by Staff in this motion is identical to that which was granted by the Commission in its *Order Modifying Intervals for Data Requests* issued on June 10, 2016, in File No. EM-2016-0324, in the currently pending matter involving the acquisition of Westar Energy, Inc., by Great Plains Energy, Inc.

WHEREFORE, Staff prays that the Commission will take up this motion as soon as possible and will issue its order reducing the time allowed for Spire, Inc. (including Laclede Gas Company, Missouri Gas Energy, and Alabama Gas Corporation) and EnergySouth, Inc. (including Sempra Energy, Mobile Gas Service Corporation, and Willmut Gas and Oil Company) to respond to DRs from twenty (20) days to eight (8) days, and by reducing the time they are allowed to object from ten (10) days to five (5)

days; and granting such other and further relief as the Commission deems just in the circumstances.

Respectfully submitted,

/s/ Jeffrey A. Keevil

Jeffrey A. Keevil

Missouri Bar No. 33825

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 526-4887 (Telephone)

(573) 751-9285 (Fax)

Email: jeff.keevil@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 28th day of July, 2016.

/s/ Jeffrey A. Keevil