

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Laclede )  
Gas Company to Change its Infrastructure ) **File No. GO-2016-0332**  
System Replacement Surcharge in its )  
Missouri Gas Energy Service Territory )

In the Matter of the Application of Laclede Gas )  
Company to Change its Infrastructure System ) **File No. GO-2016-0333**  
Replacement Surcharge in its Laclede Gas )  
Service Territory )

In the Matter of the Application of Laclede Gas )  
Company to Change its Infrastructure System ) **File No. GO-2017-0201**  
Replacement Surcharge in its Missouri Gas )  
Energy Service Territory )

In the Matter of the Application of )  
Laclede Gas Company to Change its ) **File No. GO-2017-0202**  
Infrastructure System Replacement )  
Surcharge in its Laclede Gas Service )  
Territory )

In the Matter of the Application of Spire Missouri )  
Inc. to Change its Infrastructure System ) **File No. GO-2018-0309**  
Replacement Surcharge in its Spire Missouri )  
East Service Territory )

In the Matter of the Application of Spire Missouri )  
Inc. to Change its Infrastructure System ) **File No. GO-2018-0310**  
Replacement Surcharge in its Spire Missouri )  
West Service Territory )

**MOTION TO CONSOLIDATE HEARINGS AND  
JOINT PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and on behalf of all parties, submits its *Motion to Consolidate Hearings, and Joint Proposed Procedural Schedule* in response to the Commission’s August 15, 2018, *Order Scheduling Evidentiary Hearing and*

*Directing Filing of Joint Proposed Procedural Schedule*, and in support thereof respectfully states as follows:

**Motion to Consolidate Hearings**

1. On August 9, 2018, the Commission heard oral arguments in cases GO-2016-0332, GO-2016-0333, GO-2017-0201, and GO-2017-0202 (“Remanded Cases”) concerning the Missouri Western District Court of Appeals’ remand of the Commission’s decision regarding Spire Missouri’s 2016 ISRS application.

2. On August 15, 2018, the Commission issued its *Order Scheduling Evidentiary Hearing and Directing Filing of Joint Proposed Procedural Schedule*, concluding that additional evidence is necessary for the Commission to resolve the remand cases in light of the mandate of the Western District Court of Appeals in its opinion, setting an evidentiary hearing for August 27-28, 2018, and directing Staff to file a joint proposed procedural schedule on behalf of the parties no later than 12:00pm on August 17, 2018. Specifically, the Commission directed the parties to present evidence at the hearing relevant to any unresolved issues identified in the Western District Court of Appeals’ opinion, including: 1) what costs, if any, were recovered through ISRS charges for the replacement of plastic components that were not worn out or in a deteriorated condition; 2) the appropriate methodology for making this determination; and 3) positions, along with a factual basis, regarding the amount of such plastic components replaced in each ISRS period.

3. On June 7, 2018, Spire Missouri, Inc. filed its *Verified Application and Petition of Spire Missouri, Inc. to Establish an Infrastructure System Replacement Surcharge for Its Spire Missouri East Service Territory* in File No. GO-2018-0309, and

its *Verified Application and Petition of Spire Missouri Inc. to Establish an Infrastructure System Replacement Surcharge for Its Spire Missouri West Service Territory* in GO-2018-0310, pursuant to Sections 393.1009, 393.1012, and 393.1015 of the Revised Status of Missouri and Commission Rule 4 CSR 240-3.265.<sup>1</sup>

4. On August 6, 2018, Staff filed a *Staff Recommendation* in both GO-2018-0309 and GO-2018-0310. In each case, when examining the Companies' Applications and reviewing various supporting documentation, Staff determined the amount of plastic mains and services replaced in order to exclude the replacement costs from the ISRS requests, consistent with Staff's view of the Western District Court of Appeals decision at issue in the Remanded Cases. On August 16, 2018, Spire Missouri filed its *Objection to Staff Recommendation and Request for Procedural Schedule and Hearing* in both GO-2018-0309 and GO-2018-0310. In Spire Missouri's Objection they indicate several disagreements with Staff's Recommendation, including disagreement with Staff's adjustment associated with the replacement of plastic main and service lines.

5. Accordingly, there are common questions of law and fact in the above-referenced cases and joint hearings for the Remanded Cases and File Nos. GO-2018-0309 and GO-2018-0310 would be administratively expedient in that it would allow for the Commission to hear the common questions of law and fact associated with the referenced cases in a single hearing.

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<sup>1</sup> The Applications also referenced Commission rules 4 CSR 240-2.060 and 2.080.

6. Commission Rule 4 CSR 240-2.110(3) allows the Commission to order a joint hearing when pending actions involve related questions of law or fact, and may make other orders concerning cases before it to avoid unnecessary costs or delay.

**WHEREFORE**, the Parties request a Commission order consolidating File Nos. GO-2016-0332, GO-2016-0333, GO-2017-0201, GO-2017-0202, GO-2018-0309, and GO-2018-0310 for the purpose of holding a single evidentiary hearing.

**Joint Proposed Procedural Schedule**

1. The parties request that the Commission adopt the following procedural Schedule for the above captioned cases:

<b><u>Event</u></b>	<b><u>Date</u></b>
Direct Testimony – All Parties	August 22, 2018
List of Issues	August 23, 2018
Statements of Position	August 24, 2018
Evidentiary Hearing	August 27-28, 2018
Briefs	September 7, 2018

**Discovery Procedures**

2. The parties request that the Commission adopt the following procedures regarding discovery:

- a. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- b. After the filing of the Joint Proposed Procedural Schedule (August 17, 2018), the response time for data requests shall be 2 business days to provide the requested information, and 1 business days to object or notify that more than 2

business days will be needed to provide the requested information. The Commission may rule on discovery motions without holding the conference required by 4 CSR 240-2.090(8)(B).

- c. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party on the same day of the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
- d. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.
- e. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.

**WHEREFORE**, on behalf of the parties, Staff respectfully files this *Motion to Consolidate Hearings, and Joint Proposed Procedural Schedule* in compliance with the Commission's August 15, 2018 order.

Respectfully submitted,

**/s/ Mark Johnson**

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Attorneys for the Staff of the  
Missouri Public Service Commission

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 17th day of August, 2018.

**/s/ Mark Johnson**