BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Spire Inc.'s)	
Acquisition of EnergySouth, Inc.)	File No. GM-2016-0342
and Related Matters)	

RESPONSE TO STAFF'S MOTION TO SHORTEN DATA REQUEST RESPONSE TIMES

COME NOW Spire Inc. ("Spire"), formerly known as The Laclede Group, Inc. ("LG"), and Laclede Gas Company ("Laclede"), including both of its Missouri operating units, Laclede Gas and MGE (Spire and Laclede are sometimes referred to herein as the "Companies"), and submit this response to the Staff's July 28 motion (the "Motion") to shorten objection and answer times in responding to data requests in this case. In support thereof, Spire states as follows:

- 1. As Staff notes in the Motion, a party receiving a DR has 10 days to object and 20 days to respond. In this case, Staff is expected to produce a report following its investigation by September 2, 2016. Accordingly, Staff has asked to reduce the objection and response times to 5 days and 8 days, respectively.
- 2. The Companies understand Staff's need to expedite the DR process, and they do not object to shortening the DR response times. The Company requests that the shortened time frames begin at the time the Commission issues its order, and that all DRs sent prior to the order be treated as if they were sent on the day of the order.
- 3. The Companies have clarified with Staff that the days in question are calendar days and not business days. This means that Staff is effectively asking the Companies to answer DRs within as few as six business days, which is a tight time frame if there are numerous DRs.

In such case, the Companies reserve the right, if necessary, to object on the grounds that more time is needed to respond to all of the DRs, pursuant to the Commission's discovery rules.¹

- 4. For example, Spire and Laclede believe the DR process will be easier to manage and timely respond, and will be more meaningful if the parties direct their DRs regarding the impact of the acquisition of the Alabama Gas Corporation ("Alagasco") on Missouri customers to actual events that have occurred over the past two years, rather than seeking pro-forma information and analysis that occurred prior to the acquisition and ownership. Based on DRs the Staff has begun to issue, it appears that Staff may seek to explore matters such as Spire's valuation analysis and due diligence reviews prior to entering into a purchase agreement with Energen. These events occurred more than two years ago and have since been superseded by real facts regarding the actual ownership and operation of Alagasco. The Companies believe this process is better served by focusing on actual results over the past two years, rather than speculation that occurred prior to the Alagasco purchase. Nevertheless, the Companies recognize that Staff has been directed to perform this investigation, and that Staff will decide what DRs to send.
- 5. Finally, Staff asks the Commission to shorten DR response time not only for Spire and its subsidiaries, but also for Sempra and the Alabama and Mississippi utilities it intends to transfer to Spire. Spire and Laclede are committed to cooperating with Staff to help Staff gather the information it needs to prepare a report on whether this relatively small transaction² will have a detrimental impact on Missouri customers.³ However, neither Spire nor Laclede can control

¹ Laclede would note that it is currently responding to earnings complaint DRs, while it tries to prepare for a rate case and the EnergySouth acquisition.

² The acquisition of Mobile Gas and Willmut will increase the Companies' customer base by about 7%.

³ Spire and Laclede reaffirm their position that the Commission does not have jurisdiction over the EnergySouth transaction, and clarify that their cooperation with this investigation does not concede or confer such jurisdiction.

the actions of Sempra and its affiliates, and therefore cannot guarantee any particular level of cooperation by these entities. Spire has not yet ascertained Sempra's willingness to participate in a regulatory matter in a state where, to our knowledge, it has no connection. The Companies can commit to provide their own responses to Sempra-directed questions where feasible, using publicly available information.

6. Based on the foregoing, Spire and Laclede request that the Commission begin the shortened DR response times on the day of the Commission order, and hold the Companies responsible only for their own actions, and not the actions of Sempra and its affiliates.

Respectfully Submitted,

/s/ Mark C. Darrell

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the parties of record in this case on this 1^{st} day of August, 2016 by United States mail, hand-delivery, email, or facsimile.

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