

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

In the Matter of Summit Natural Gas                     )  
of Missouri, Inc. and Brightspeed of                     )  
Missouri, LLC Concerning a Natural                     )  
Gas Incident at Craig-Hurt Funeral                     )  
Home Garage in Mountain Grove,                     )  
Missouri   )

**File No. GS-2025-XXXX**

**MOTION TO OPEN CASE**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”) and  
for its *Motion to Open Case* States:

1. The Commission has the authority to require every gas utility, including municipal gas systems, to operate its system in a manner that promotes and safeguards the health and safety of its employees, customers, and the public. Section 386.310, of the Revised Statutes of Missouri (“RSMo”).
2. The Commission has the jurisdiction to regulate gas pipeline safety under Section 386.310, RSMo.
3. A public utility that owns any gas plant is subject to the provisions of Section 386.572, RSMo., for violation of any law, order, decision, decree, rule, direction, demand, or requirement of the Commission. Section 386.572, RSMo.
4. Summit Natural Gas of Missouri, Inc. (“SNGMO”) is a public utility under Section 386.020, RSMo.
5. SNGMO owns and operates a gas plant and is subject to the provisions of Section 386.572, RSMo.

6. SNGMO owns and operates underground facilities and is subject to the Underground Facility Safety and Damage Prevention Act set forth in Sections 319.010 through 319.050, RSMo.

7. Brightspeed of Missouri, LLC (“Brightspeed”) is certificated with the Commission as an Incumbent Local Exchange Carrier (“ILEC”).

8. Pursuant to Commission rule 20 CSR 4240-28.014(2) any company providing intrastate telecommunications services shall comply with the safety standards identified in 20 CSR 4240-18.010.

9. On June 26, 2023, A&A Cable Contractors, Inc. (A&A Cable or “The Excavator”) (who was performing work on behalf of Brightspeed), was boring along W. 4<sup>th</sup> Street in Mountain Grove, Missouri, when it struck SNGMO’s natural gas main assets, resulting in an explosion and fire and damage to Craig-Hurt Funeral Home garage.

10. Safety Engineering Staff (“Staff”) has conducted an investigation into this matter. Staff has sent information requests to SNGMO and Brightspeed, reviewed relevant Commission rules and orders, and drafted an Initial Report that is attached to this motion.

11. Staff requests the Commission open a case for the purpose of accepting Staff’s Initial Report. Staff further requests that once the Commission opens a case that the Commission order SNGMO and Brightspeed to respond to Staff’s Initial Report.

12. Moreover, Staff requests authority from the Commission to allow Staff to submit the advisory notice in Appendix C to wireline communication and video companies certificated or registered with the Commission; and approval for Staff to report the incident

to the Missouri Attorney General's Office ("AGO") and provide a public copy of the investigation report to the AGO for purposes of further action by the AGO, if they so choose.

**WHEREFORE**, Staff moves the Commission to open a case for the reasons noted above, and respectfully requests approval for Staff to submit the advisory notice in Appendix C to wireline communication and video companies certificated or registered with the Commission; and approval for Staff to report the incident to the Missouri Attorney General's Office ("AGO") and provide a public copy of the investigation report to the AGO for purposes of further action by the AGO, if they so choose; and for such further action that is just and reasonable under the circumstances.

Respectfully submitted,

**/s/ J. Scott Stacey**

J. Scott Stacey  
Deputy Counsel  
Missouri Bar No. 59027  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
573-522-6279  
573-751-9285 (Fax)  
[scott.stacey@psc.mo.gov](mailto:scott.stacey@psc.mo.gov)

Attorney for Staff of the  
Missouri Public Service Commission

### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been transmitted by electronic mail to counsel of record this 6th day of January, 2025.

**/s/ J. Scott Stacey**