

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

Kyland Powell

Complainant,

v.

Spire Missouri, Inc. d/b/a Spire,
Respondent.

File No. GC-2025-0021

FILED

4:34 pm, Jan 17, 2025

MISSOURI COURT OF APPEALS

ORDER DISMISSING COMPLAINT

WESTERN DISTRICT

Issue Date: September 12, 2024

Effective Date: October 15, 2024

On July 17, 2024, Kyland Powell filed a complaint with the Missouri Public Service Commission against Spire Missouri, Inc. d/b/a Spire (hereinafter Spire), pursuant to Commission Rule 20 CSR 4240-2.070. On July 22, 2024, the Staff of the Missouri Public Service Commission filed a *Motion To Dismiss* the complaint for failure to state a claim upon which relief can be granted. On July 25, 2024, Spire filed *response to Motion To Dismiss* which stated their support for the Staff's Motion To Dismiss.

On July 29, 2024, the complainant filed documents entitled, "Writ To Object Dismissal" and on September 10, 2024, the complainant filed documents entitled, "Injunction To Cease Disconnection And Collections". None of the complainant's documents or recitation of Missouri's Uniform Commercial Code or the Missouri Merchandising Practices Act state a clear violation that can be addressed by the jurisdiction of the Missouri Public Service Commission. In addition, the complainant cited the Truth In Lending Act, the Fair Credit Reporting Act, the Federal Trade Commission Act, the Uniform Commercial Code, and provisions of the United States Code, none of which fall under the jurisdiction of the Commission.

Under Commission Rule 20 CSR 4240 – 2.070(7) the Commission may dismiss a complaint for failure to state a claim upon which relief can be granted or for failure to comply with any provision of the rules or an order of the Commission. Section 386.390.1 RSMo provides that the Commission shall hear complaints regarding “a violation of any provision of law, or any rule or order or decision of the Commission”. Because the complainant’s submissions do not state a claim upon which relief can be granted, nor did they state a violation of any provision of law, rule, order, or decision of the Commission a Motion filed by Staff shall be granted and this Complaint shall be dismissed.

Under Commission Rule 20 CSR 4240 – 2.070(14), the Regulatory Law Judge shall cause the parties to be notified that the dismissal of the complaint is final unless an application for rehearing is filed. The application for rehearing must be filed with the Commission before the effective date of this order.¹

If the Commission denies the application for rehearing, the parties then have 30 days after the denial is issued to file an appeal with the Court of Appeals.² If the Commission grants the application for rehearing, the Commission will order appropriate actions at that time.

¹ Section 386.500, RSMo (2016) and Section 386.515, RSMo (Supp. 2023).

² Section 386.510, RSMo (Supp. 2023).

THE COMMISSION ORDERS THAT:

1. The Complaint, filed on July 17, 2024, is dismissed.
2. The Motion to Dismiss for failing to state a claim upon which relief can be granted, filed by Staff of the Public Service Commission and supported by Spire, is granted.
3. If the Complainant wishes to request a hearing by the Commission, such request must be filed before October 15, 2024.
4. This order is effective October 15, 2024.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Karolin S. Walker, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

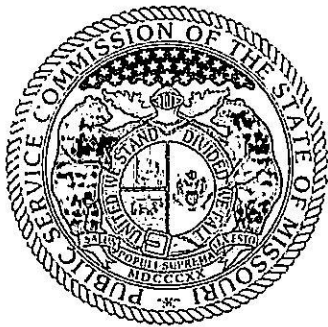
Dated at Jefferson City, Missouri,
on this 12th day of September 2024.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 12th day of September 2024.



A handwritten signature in cursive script that reads "Nancy Dippell". The signature is written in black ink and is positioned above a horizontal line.

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 12, 2024

File/Case No. GC-2025-0021

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



Nancy Dippell
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.

