STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 19th day of May, 2021.

Vearline Nelson,	)	
	)	
Complainant,	)	
	)	
v.	)	**File No. GC-2021-0135**
	)	
Spire Missouri, Inc. d/b/a Spire,	)	
	)	
Respondent	)	

ORDER DISMISSING COMPLAINTS

Issue Date: May 19, 2021 Effective Date: June 18, 2021

On November 6, 2020, Vearline Nelson filed two complaints with the Missouri Public Service Commission against Spire Missouri Inc., d/b/a Spire. Due to the similarity of the complaints, the Commission consolidated them into one file. Spire filed an answer to the complaints on December 18, 2020. The Commission's Staff (Staff) filed a report on February 26, 2021, following an investigation of the complaints, which concluded that Spire had not violated any applicable statutes, Commission rules, or Commission-approved Spire tariffs related to either complaint.

The Commission ordered the parties to file a procedural schedule. Staff and Spire filed a joint procedural schedule indicating that they tried multiple times to contact Ms. Nelson through telephone voicemails and email. On March 31, 2021, the Commission issued its order adopting the proposed schedule. The Commission added a prehearing conference to the schedule for April 8, 2021, to ascertain that Ms. Nelson was able, and

wanted to participate in the evidentiary hearing via telephone. The Regulatory Law Judge mailed Ms. Nelson a letter informing her in detail how to participate in the prehearing conference via telephone. Ms. Nelson did not appear at the prehearing conference by either videoconference or telephone, and did not contact the Commission prior to the prehearing conference to request a continuance. At the prehearing conference, the Regulatory Law Judge informed Staff and Spire that he would attempt to contact Ms. Nelson via telephone regarding her participation in these complaints prior to issuing a show cause order. Three attempts were made to reach Ms. Nelson on different days, and at different times. Each time the Regulatory Law Judge left a voicemail with a detailed message and contact information. No responses from Ms. Nelson were received.

The Commission issued a show cause order on April 22, 2021, giving Ms. Nelson until May 5, 2021, to file a pleading showing why her complaints against Spire should not be dismissed. No pleading was received. The Regulatory Law Judge also verified that all orders issued in this file have been mailed to Ms. Nelson at the address she provided.

Two Commission Rules address the failure of a party to appear for a prehearing conference. First, Commission Rule 20 CSR 4240-2.116(3) provides as follows:

> A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Second, Commission Rule 20 CSR 4240-2.090(5) provides that:

> Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Ms. Nelson failed to appear for the scheduled prehearing conference and failed to comply with a Commission order to show good cause for not appearing. Therefore, as provided by the Commission's rules, her complaints will be dismissed.

THE COMMISSION ORDERS THAT:

1. For all the reasons stated above, Vearline Nelson's complaints against Spire, in this file, are dismissed.

2. This order shall become effective on June 18, 2021.

BY THE COMMISSION

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and Kolkmeyer, CC., concur.

Clark, Senior Regulatory Law Judge

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 19th day of May, 2021.

Morris L. Woodruff
Secretary

Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU="",
E=kim.happy@psc.mo.gov, C=US
Reason: I attest to the accuracy and
integrity of this document
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MISSOURI PUBLIC SERVICE COMMISSION

May 19, 2021

File/Case No. GC-2021-0135

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

Sincerely,

Morris L Woodruff

Morris L. Woodruff
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.