

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

September 4, 2026

IN RE:

PETITION OF SPIRE TENNESSEE INC. FOR
APPROVAL OF ITS 2026 ANNUAL REVIEW OF
RATES MECHANISM PURSUANT TO TENN. CODE
ANN. §65-5-103(d)(6)

DOCKET NO.
26-00042

PRE-HEARING ORDER

This matter came before the Administrative Judge of the Tennessee Public Utility Commission (“Commission” or “TPUC”) during a Pre-Hearing Conference held on September 2, 2026. In accordance with Tenn. Code Ann. § 4-5-306 and TPUC Rule 1220-1-2-.12, the Pre-Hearing Conference was held to resolve certain matters prior to the commencement of a hearing on the merits on the *Petition of Spire Tennessee Inc. for Approval of Its 2026 Annual Review of Rates Mechanism Pursuant to Tenn. Code Ann. § 65-5-103(d)(6)* (“*Petition*”) filed by Spire Tennessee Inc. (“Spire TN”). The Pre-Hearing Conference was convened to address outstanding procedural matters and pending motions, and to establish the orderly conduct of the hearing, which is scheduled to be heard at 12:30 p.m. CDT on September 14, 2026.

The following parties participated in the audio-visual Pre-Hearing Conference via WebEx:

Spire Tennessee Inc. – Brian L. Franklin, Esq., Alexanra B. Breazeale, Esq., McGuire Woods LLP, 201 North Tryon Street, Ste. 3000, Charlotte, NC 28202; Julio Antonio Arias, Esq., 700 Market Street, St. Louis, MO 63101.

Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) – Shilina B. Brown, Esq., Ryan L. McGehee, Esq. and Vance Broemel, Esq., Office of the Attorney General, P.O. Box 20207, Nashville, TN 37202.

I. PRELIMINARY ISSUES

A. PRELIMINARY MOTIONS

The Parties addressed pending preliminary motions concerning Spire TN's request for Pro Hac Vice Admission of Julio Antonio Arias to appear on its behalf; the request of the Consumer Advocate for Leave to file a reply to Spire TN's response to the Consumer Advocate's *Motion to Take Administrative Notice*; and the Consumer Advocate's *Motion to Take Administrative Notice*. Orders on these respective motions are filed separately.

B. NOTICE OF HEARING AND DELIBERATIONS

On September 4, 2026, the Administrative Judge issued a *Notice of Hearing and Deliberations* notifying the public that a hearing will be held at **12:30 p.m. CDT on Monday, September 14, 2026**. Members of the public are encouraged to participate by filing written comments in the docket file and/or presenting verbal comments during the hearing.

II. PROCEDURAL MATTERS

During the Pre-Hearing Conference, the length and timing of the order of proof was discussed. The following order of the hearing was then established and agreed upon:

A. OPENING STATEMENTS

Spire Tennessee will present an opening argument as will the Consumer Advocate. Opening Statements will be presented in the following order:

Spire TN will be permitted a maximum of 15 minutes to present its opening statement.

The Consumer Advocate will be permitted a maximum of 10 minutes to present its opening statement.

B. EXHIBITS & DOCUMENTS

The parties should exchange any demonstrative exhibits related to a witness's pre-filed testimony by Friday, September 11, 2026, at 2:00 p.m. (CDT). Exhibits that are part of the docket record may

be identified in an Exhibit List. Non-docketed exhibits should be provided. Each party should have its own copy of all exhibits, including those appended to pre-filed testimony, available for reference during the hearing and is responsible for supplying a sufficient number of copies of any exhibits that it intends to reference or discuss with a witness. A party should use its own judgment and discretion in determining the total number of copies to have on hand, but at a minimum, 20 copies of an exhibit should be provided for the court reporter, each Commissioner on the panel, and Commission Staff. Additional copies will be needed to provide to the other party.

C. TECHNOLOGICAL AND OTHER SPECIAL REQUESTS

The parties should inform the Administrative Judge of any requirements as to visual display aids and technology that might be needed during the hearing. So that the appropriate arrangements may be made, all such requests and information should be provided via email to the Administrative Judge at aaron.conklin@tn.gov by 4:00 p.m. CDT, Thursday, September 10, 2026.

D. WITNESSES

During direct examination, each witness for the Joint Applicants will be permitted a maximum of 10 minutes to summarize his/her pre-filed testimony; Consumer Advocate witness Kaml will be permitted a maximum of 5 minutes to summarize his pre-filed testimony and Consumer Advocate witnesses Dixon and Dittmore will each be permitted a maximum of 10 minutes to summarize his respective pre-filed testimony. In addition, each witness remains subject to recall for rebuttal purposes and should remain available throughout the length of the proceedings. According to the Parties, all witnesses will appear and give testimony in person. The witnesses will testify in the following order:

- **Spire TN** will present six witnesses:
 1. Joe Hampton (Direct and Rebuttal) (10 minutes)
 2. Jay Neal (Direct and Rebuttal) (10 minutes)
 3. Eric Bouselli (Direct and Rebuttal) (10 minutes)

4. John Taylor (Direct and Rebuttal) (10 minutes)
 5. David Yonce (Direct and Rebuttal) (10 minutes)
 6. Eddie Davidson (Rebuttal) (10 minutes)
- **The Consumer Advocate** will present three witnesses:
 1. David N. Dittmore (Direct) (10 minutes)
 2. Bradley O. Dixon (Direct) (10 minutes)
 3. Clark D. Kaml (Direct) (5 minutes)

E. EXAMINATION OF WITNESSES AND QUESTIONS BY THE COMMISSION

While redirect examination of a witness is allowed, the parties are reminded to limit questions on redirect to matters elicited during cross-examination that require clarification. It is not appropriate to raise new issues during redirect examination. Re-cross examination is not permitted except in the event that a new issue is raised during the immediately preceding redirect examination. The Commission's Advisory Staff has the opportunity to ask questions following cross-examination, before redirect examination. The parties should be aware that the Commissioners might ask questions at any time during a witness's testimony, as well as following cross-examination.

F. CLOSING ARGUMENTS

Both Parties will present a closing argument. Closing arguments will be presented in the following order:

The Consumer Advocate will be given a maximum of five minutes to present its closing argument.

Spire TN will be given a maximum of ten minutes to present its closing argument.

G. PRELIMINARY MATTERS/MOTIONS

The parties should make the Administrative Judge aware of any preliminary matters as soon as possible in advance of the hearing.

H. SUMMARY OUTLINE OF HEARING

For the convenience of the presiding panel and the parties, a *Procedural Outline of Hearing* has been provided as Attachment A to this Order.

III. NOTICE OF HEARING TO CUSTOMERS

Spire TN requested information concerning the appropriate notice of hearing to customers that is required in accordance with statutory and regulatory requirements. The Administrative Judge directed Spire TN to the requirements for rate cases established in Commission Rule 1220-01-02-.23, which became effective November 9, 2025, with instruction that the Commission is considering an amendment to this rule making the same customer notification requirements applicable to alternative regulatory methods proceedings. Based upon the rule requirements, within five days of the Notice of Hearing, Spire TN shall, “provide an accurate update to the notice previously posted on its website and send the update directly to its customers in the same manner they receive their billing statements, either electronically or by first-class mail.”¹ The customer notice “shall include the date, location, and time scheduled for the hearing, an accurate summary of the proposed rate or rate changes currently presented to the Commission in the Company’s testimony, and a summary of the position, including rates or rate changes, proposed by any intervening parties.”²

The prior public notice requirements applicable to proceedings seeking the revision of rates were found in Rule 1220-04-01-.05, repealed effective, November 9, 2025. The provisions of this rule stated as follows:

(1) All public utilities applying for revision of rates shall provide the following public notice in regard to proposed rate changes:

(a) A utility shall make a summary of the proposed changes and the reasons for them available at each of the utility's business offices.

(b) A utility shall cause a summary of the proposed changes and the reasons for them to be published in a newspaper of general circulation located in the utility's service area.

¹ Tenn. Comp. R. & Regs. 1220-01-02-.23(4)(b).

² *Id.*

(2) The summary must include a summarization of every proposed rate change written in clear, simple, and understandable language and the predicted impact of proposed changes on the average residential and business customers served by the utility. The newspaper notice and the notice at the utility's business office shall state that a complete copy of the proposed tariff changes and the reasons for them are on file with the Tennessee Regulatory Authority and are open to public inspection. The public notice should also state the date and place when the application will be heard by the Authority, if known.

(3) The petitioner, by a duly authorized officer, or by its attorney, shall file a statement in writing on or before the date of hearing that the above notice has been published and posted, together with the date and location of said posting and publication, as required by this rule.³

Spire TN has agreed to provide customer notice of the ARRM proceeding. Spire TN shall provide the customer notice on its website. Further, Spire TN shall provide the notice to customers of this proceeding utilizing either the direct customer notice via the same manner in which they receive billing statements as established in 1220-04-01-.05, or the newspaper publication method detailed in the repealed Rule 1220-04-01-.05, whichever may be more cost effective.

IT IS SO ORDERED THAT:

The Hearing scheduled to be held during the Commission Conference beginning at **12:30 p.m. CDT on September 14, 2026**, shall be conducted in accordance with the requirements and deadlines set forth in this Pre-Hearing Order unless otherwise ordered by the Administrative Judge, Chairman or presiding Commissioner.



Aaron J. Conklin
Administrative Judge
By Commission Delegated Authority

³ Tenn. Comp. R. & Regs. 1220-04-01-.05 (repealed November 9, 2025).

ATTACHMENT A

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

IN RE:	)	
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PETITION OF SPIRE TENNESSEE INC. FOR	)	DOCKET NO.
APPROVAL OF ITS 2026 ANNUAL REVIEW OF	)	26-00042
RATES MECHANISM PURSUANT TO TENN. CODE	)	
ANN. §65-5-103(d)(6)	)	

PROCEDURAL OUTLINE OF HEARING

Time/Date: **During Hearing held on September 14, 2026, at 12:30 p.m. (CDT)**

Hearing on the Merits

Hearing Convened by Administrative Judge and Introductions

A. Preliminary Issues

B. Opening Statements:

- 1) Spire Tennessee (15 minutes)
- 2) Consumer Advocate (10 minutes)

C. Witness Summaries:

<u>Spire TN Witness</u>	Joe Hampton
- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

<u>Spire TN Witness</u>	Jay Neal
- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes

Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Spire TN Witness

Eric Bouselli

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Spire TN Witness

John Taylor

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Spire TN Witness

David Yonce

- Oath Administered/Witness Sworn –	
Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Spire TN Witness**Eddie Davidson**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Consumer Advocate
Re-direct examination	Spire TN
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Consumer Advocate Witness**David N. Dittmore**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Spire TN
Re-direct examination	Consumer Advocate
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Consumer Advocate Witness**Bradley O. Dixon**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony	Ten (10) minutes
Cross-examination	Spire TN
Re-direct examination	Consumer Advocate
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

Consumer Advocate Witness**Clark D. Kaml**

- Oath Administered/Witness Sworn –

Summary of pre-filed testimony	Five (5) minutes
Cross-examination	Spire TN
Re-direct examination	Consumer Advocate
Re-cross examination	(if requested & determined appropriate)
Questions	TPUC Commissioners and/or Advisory Staff

D. Closing Argument

- Consumer Advocate (5 minutes)
- Spire TN (10 minutes)

E. Public Comment

F. Hearing Adjourned