

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

In the Matter of the Verified Application	)	
and Petition of Laclede Gas Company for	)	
Establishment of an Infrastructure System	)	Case No. GO-2014-0212
Replacement Surcharge for its Laclede	)	
Division	)	

**MOTION FOR EVIDENTIARY HEARING**

COMES NOW the Missouri Office of the Public Counsel (OPC) and for its Motion for Evidentiary Hearing, states:

1. On January 17, 2014, Laclede Gas Company filed an application to change its Infrastructure System Replacement Surcharge (“ISRS” or “surcharge”). Due to questions raised by Laclede’s filing and information provided by Laclede in response to data requests, OPC requests an evidentiary hearing wherein Laclede will have the burden of proving that the claimed ISRS-eligible expenses are authorized by law.

2. OPC requests an evidentiary hearing primarily because Laclede seeks to recover expenses that do not appear to be authorized by Section 393.1009(5)(a), (b), or (c) RSMo. In particular, OPC is concerned that Laclede’s ISRS application seeks to recover under Section 393.1009(5)(a) the cost of new facilities that do not replace facilities that are “worn out” or “deteriorated” as required. For example, Laclede seeks to include expenses in its ISRS for telemetric equipment that was replaced simply “because the replaced equipment was no longer being supported by the manufacturer, meaning replacement parts and technical assistance were not available.”<sup>1</sup>

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<sup>1</sup> Laclede response to OPC Data Request No. 5.

3. OPC also opposes Laclede's request to impose a surcharge because Laclede's Application is procedurally deficient, and in violation of 4 CSR 240-3.265, in that the Application does not: (1) identify the category of expenses that qualifies each project for the ISRS; (2) identify the safety requirement being complied with; and (3) categorize government mandated relocations as required by 4 CSR 240-3.265(20).

4. OPC brings these issues to the Commission's attention to protect ratepayers from unlawful and unreasonable rate increases. OPC asks that the Commission direct the parties to agree upon and file a proposed procedural schedule that includes an evidentiary hearing.

WHEREFORE, the Office of the Public Counsel respectfully requests an evidentiary hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 27<sup>th</sup> day of March 2014:

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***/s/ Marc Poston***

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