

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

In the Matter of the Application of)	
Laclede Gas Company for an Accounting)	
Authority Order Authorizing the Company)	
to Defer for Future Recovery the Costs of)	Case No. GU-2007-0138
Complying with the Permanent)	
Amendment to the Commission's Cold)	
Weather Rule.)	

**PUBLIC COUNSEL'S MOTION
FOR A WAIVER OF COMMISSION RULES**

COMES NOW the Missouri Office of the Public Counsel and for its Motion for a Waiver of Commission Rules states:

1. During the Commission's April 10, 2008 Agenda discussion, the Commission briefly discussed the deadline imposed on the Commission for reaching a decision in this case. The regulatory law judge stated that the Commission would need to vote on an order in the next scheduled Agenda session on Thursday, April 17, 2008.

2. The reason for this deadline is Commission Rule 4 CSR 240-13.055(14)(G)(2) which states in relevant part:

The commission shall establish the amount of costs it determines have been reasonably incurred in complying with this section within one hundred eighty (180) days of the utility's request and such amount will be carried forward into the utility's next rate case without reduction or alteration.

...

If the commission fails to establish the amount of costs within one hundred eighty (180) days, then the amount requested by the utility shall be deemed reasonably incurred.

3. Public Counsel moves for a waiver of the above quoted provisions of Commission Rule 4 CSR 240-13.055(14)(G)(2) for the limited purposes of extending the timeframe within which the Commission must render a decision, and suspending the

provision that would deem Laclede's requested amount to be approved if the Commission fails to establish the costs within one hundred eighty (180) days. Extending the Commission's decision deadline and suspending the automatic trigger that would deem Laclede's costs approved will provide the Commission with more time to consider the evidence and the arguments, more time to discuss the matter in Agenda, and more time to render its decision.

4. There is no need for expediency in this matter. Laclede has no pending rate case and extending the Commission's decision beyond one hundred eighty (180) days will not have a detrimental impact on any party.

5. The Commission may waive its rules for good cause pursuant to Commission Rule 4 CSR 240-2.015. Allowing more time for consideration represents good cause for a waiver of the Commission's rule.

WHEREFORE, the Office of the Public Counsel respectfully moves for a waiver of the one hundred eighty (180) day timeframe for a Commission decision; and a waiver of the provision that would deem Laclede's cost request to be approved if the Commission fails to establish the costs within one hundred eighty (180) days.

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 the following this 10th day of April, 2008:

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