

**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 CLARIFICATION

COMES NOW the Missouri Office of the Public Counsel and for its Motion for Clarification states that on April 17, 2008, the Commission issued its Report and Order. Public Counsel respectfully requests that the Commission clarify two points in its Order as follows:

1. On page 8, the Order states "Public Counsel is willing to include the \$930,221 in additional unpaid arrearages and the accumulated interest when determining Laclede's cost of compliance for inclusion in the AAO." This is not an accurate characterization of Public Counsel's position. The Order cites to the testimony of Mr. Trippensee, however, Mr. Trippensee did not take into consideration Public Counsel's argument that Laclede's arrearage amount is not accurate for the following reasons: 1) a substantial number of the accounts included in Laclede's spreadsheet are not eligible for CWR amendment costs because they were not reconnected or reinstated under the terms of the CWR amendment (Public Counsel Brief, p. 13); 2) Mr. Trippensee's statement also does not consider Public Counsel's argument that the additional unpaid arrearages amount should be reduced by arrearages that occurred after Laclede could have disconnected a customer (Public Counsel Brief, p. 13-14); and 3) Public Counsel argued

that the arrearage amount should not include additional arrearages that Laclede would have incurred anyway under the terms of the old CWR (Public Counsel's Brief, p. 7).

During the evidentiary hearing counsel for Public Counsel attempted to make the above clarifications during redirect examination, but was refrained from doing so by a Laclede objection sustained by the regulatory judge. (Tr. 176-179). Had Public Counsel been allowed to finish its line of redirect questioning, it would have been apparent in the hearing that Mr. Trippensee's statement as to an acceptable arrearage amount should be qualified. Regardless, Public Counsel's brief certainly provides a complete characterization of Public Counsel's position, which clearly opined that the arrearage amount claimed by Laclede should be reduced for the reasons outlined above. Public Counsel's arguments should have been recognized in the Commission's Order. Accordingly, Public Counsel requests that the Commission clarify its Order to accurately reflect Public Counsel's position. On page 18 the Order appears to recognize Public Counsel's challenge of the arrearage amount proposed by Laclede. However, this recognition does not appear with the finding on Page 8.

2. The Order also directs "Laclede to continue to track payments and additional arrearages of the 8,440 affected customers after the cut-off date of September 30, 2007." Public Counsel requests that the Commission clarify how Laclede could incur additional arrearages outside of the CWR period. Mr. Fallert testified that the accounts included in Laclede's calculation have either been disconnected or failed to honor their CWR agreement. In either event, the customer is no longer under the CWR and any additional arrearages would not be caused by the CWR amendment.

WHEREFORE, the Office of the Public Counsel respectfully requests that the Commission clarify its Report and Order.

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 25th day of April, 2008:

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