

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

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2016-0297
)	
Laclede Gas Company, and Missouri Gas)	
Energy,)	
)	
Respondents)	

RESPONSE REGARDING PROCEDURAL SCHEDULE

COME NOW the Office of the Public Counsel (“OPC”), and for its response to Laclede Gas Company’s (“Laclede”) proposed procedural schedule, and its response to Laclede’s response to the procedural schedule proposed by the Office of the Public Counsel (“OPC”), Consumers Counsel of Missouri (“CCM”), the Missouri Energy Consumers Group (“MECG”), and Missouri Industrial Energy Consumers (“MIEC”), states as follows:

1. The difference between the two proposed procedural schedules is 47 days. Laclede proposed 97 days between direct and rebuttal testimony, while the consumer parties proposed 50 days. Contrary to Laclede’s representation in its *Response of Laclede Gas Company to Other Procedural Schedule Recommendations* (“Laclede Response”), where it states no party would agree to a 50-day rebuttal filing in a rate case, in Laclede’s *last rate case* it agreed to a schedule where Laclede filed rebuttal testimony addressing revenue requirement *and* rate design testimony in fewer than fifty days from multiple parties (47-days and 33-days respectively). The primary difference between Laclede’s

last rate case and this Complaint is that this Complaint will address a far fewer number of issues than in a rate case, and will require substantially less time to process.

2. Much of OPC's testimony will address two main issues: return on equity and capital structure. Laclede is already well-aware that these two issues will be a central focus of this Complaint since the principal basis for OPC bringing this Complaint is Laclede's unreasonable return-on-equity (ROE).¹ In addition, Laclede knows better than anyone that its capital structure is far out-of-line with what the Commission has repeatedly found to be a just and reasonable balance of equity and debt. Accordingly, Laclede has known these two issues would be central to this Complaint, and Laclede has had four months to prepare. With the procedural schedule proposed by consumers, Laclede will have had **7-months** to prepare testimony. Laclede also argues combining Laclede and Missouri Gas Energy ("MGE") testimony will create additional challenges, but the two main issues of ROE and capital structure will not vary between the two; the ROE and capital structure for each entity will necessarily be identical. Accordingly, fifty-days after direct testimony is a generous time period for rebuttal in this case.

3. Because OPC's direct testimony will raise far fewer contested issues than in a rate case, and because Laclede will have 7-months in which to prepare for testifying on these issues, OPC urges the Commission to adopt the procedural schedule proposed by OPC, CCM, MECG and MIEC.

WHEREFORE, the OPC respectfully offers this response and urges the Commission to adopt the OPC, CCM, MECG and MIEC procedural schedule.

¹ See Complaint, pp. 5-8, April 26, 2016, EFIS No. 1.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Marc D. Poston

Marc D. Poston (#45722)

Chief Deputy Counsel

P. O. Box 2230

Jefferson City MO 65102

(573) 751-5558

(573) 751-5562 FAX

marc.poston@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 31st day of August 2016.

/s/ Marc Poston
