

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

In the Matter of the PGA Filing for Laclede     )  
Gas Company.   )     **Case No. GR-2004-0273**

**ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: June 2, 2006

Effective Date: June 2, 2006

This case was established to consider Laclede Gas Company's 2003-2004 Actual Cost Adjustment (ACA). On May 19, 2006, Laclede, the Commission's Staff, and the Office of the Public Counsel filed a proposed procedural schedule that will lead to a hearing regarding the ACA. The procedural schedule is reasonable and will be adopted with one modification: The dates proposed for the evidentiary hearing are unavailable and must be revised.

The Commission finds that the following conditions should apply to the procedural schedule:

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of

issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(C) The parties shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall propose the order of cross-examination and file a joint pleading indicating the same.

(D) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript further, such request shall be tendered in writing to the Presiding Judge at least five days prior to the date of the hearing.

(E) Because much of the evidence will have been filed before the hearing, the Commission will require prehearing briefs that address all the issues in dispute and all the relevant prefiled testimony. Since the prehearing briefs will cover most of the record, posthearing briefs will not need to be very lengthy, and will be limited to 25 pages in length. Posthearing briefs will generally just need to update the prehearing briefs for new evidence adduced at the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, and

served on the other parties, only one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Regulatory Law Judge, and all counsel.

(H) The parties shall file proposed findings of fact including citations to prefiled testimony and other evidence. The parties may also file proposed conclusions of law.

(I) In the event that the parties reach a settlement of all of the issues, such settlement shall not be grounds for a continuance of the hearing unless the agreement is final, has been submitted to the Commission in writing, and there are no objections to the agreement.

**IT IS ORDERED THAT:**

1. The procedural schedule is adopted as follows:

Technical conference meetings; discovery	June 20, 2006; July 18, 2006
Direct testimony, all parties	September 8, 2006
Rebuttal testimony, all parties	October 19, 2006
Surrebuttal testimony, all parties	November 21, 2006
List of issues, order of witnesses and order of cross-examination	November 29, 2006
Prehearing briefs and statements of position	December 11, 2006
Hearing	January 29-30, 2007 beginning at 8:30 a.m.

2. The hearing will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri, a facility which meets

the accessibility standards of the Americans with Disabilities Act (ADA). Any person who needs additional accommodations to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. The parties are directed to comply with the conditions set out in this order.
4. This order shall become effective on June 2, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 2nd day of June, 2006.