

**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.)	

**MOTION TO SUPPLEMENT THE RECORD
CERTIFIED WITH THE CIRCUIT COURT OF COLE COUNTY**

COMES NOW the Missouri Office of the Public Counsel and for its Motion to Supplement Record states:

1. On April 17, 2008, the Commission issued its Report and Order approving Laclede Gas Company's application for an Accounting Authority Order to defer costs of complying with the Commission's Cold Weather Rule. The Report and Order, at page 21, indicates that Commissioner Robert M. Clayton III dissented from the Order and that a written dissent by Commissioner Clayton was "to follow."

2. On May 29, 2008, Public Counsel filed its Petition for Writ of Review, requesting that the Circuit Court of Cole County review the Commission's Report and Order. The Circuit Court issued the Writ of Review on May 30, 2008, ordering the Commission as follows:

IT IS ORDERED AND ADJUDGED by the undersigned Judge of the Circuit Court of Missouri that the Public Service Commission of Missouri certify fully, and return to the Circuit Court of Cole County, Missouri (19th Judicial Circuit) within thirty (30) days of the issuance of this Writ, a full, true and complete copy of the record in Case No. GU-2007-0138, including without limitation, all motions and responses thereto, all orders issued therein, and all other records and materials the Respondent considered in said case, to the end that the Circuit Court of Cole County may determine the lawfulness and reasonableness of the Commission's actions and decisions and orders therein.

3. The Commission filed its Return to Writ of Review on June 27, 2008, in which the Commission indicated that the record it submitted was as it “appears on file and of record in the office of said Commission.”

4. On July 31, 2008, Commissioner Clayton filed the Dissenting Opinion of Commissioner Robert M. Clayton III. The Dissent was filed after the Commission filed its Return to Writ of Review, and therefore, the record submitted to the Circuit Court is no longer the record as it “appears on file and of record in the office of said Commission.”

5. Public Counsel requests that the Commission file a revised record that includes the Dissent, or supplement the record with the Dissent, so that the Circuit Court has a complete and accurate record.

WHEREFORE Public Counsel respectfully request that the Commission file a revised record or supplement the record with the Circuit Court to include Commissioner Clayton’s Dissent.

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 13th day of August, 2008:

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