

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Laclede Gas)
Company for a Temporary Variance from Certain)
Portions of Rule 10.A of Its Tariff Regarding Meter) **Case No. GE-2005-0405**
Testing in Connection with Its Implementation of)
an Automated Meter Reading Program.)

ORDER ADOPTING PROCEDURAL SCHEDULE WITH MODIFICATIONS

Issue Date: March 17, 2006

Effective Date: March 17, 2006

On February 14, 2006, the parties filed a proposed procedural schedule. The Commission has reviewed the proposed procedural schedule and finds it to be appropriate with the exception that the parties shall file pretrial briefs in lieu of position statements. The Commission will therefore adopt the proposed procedural schedule with that modification.

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

(A) The Commission will allow live direct testimony.

(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. The Commission will direct that the transcript in this case be expedited to be filed within **seven days** of 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) The Commission will also require pretrial briefs that address all the issues in dispute and the evidence that party expects to provide at hearing. Since pretrial briefs will be filed, post-trial briefs will not need to be very lengthy, and will be limited to ten pages in length. The Commission will allow the opportunity for closing arguments at the end of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080 except as otherwise ordered. 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 Presiding Judge, and all counsel.

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

(l) 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:

Issues List, Order of Witnesses, Order of Cross-examination, and Order of Opening Statements	March 28, 2006
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Pretrial Briefs	March 30, 2006
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Evidentiary Hearing	April 4, 2006 beginning at 8:30 a.m.
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Posthearing Briefs and Proposed Findings of Facts (and Conclusions of Law – optional)	15 days after the transcript is filed
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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 March 17, 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 17th day of March, 2006.