

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

In the Matter of the Application of Laclede)	
Gas Company to Change Its Infrastructure)	<u>File No. GO-2016-0196</u>
System Replacement Surcharge in Its)	Tariff No. YG-2016-0193
Laclede Gas Service Territory)	

In the Matter of the Application of Laclede)	
Gas Company to Change Its Infrastructure)	<u>File No. GO-2016-0197</u>
System Replacement Surcharge in Its)	Tariff No. YG-2016-0194
Missouri Gas Energy Service Territory)	

**ORDER DENYING MOTION FOR RECONSIDERATION OF
PROCEDURAL SCHEDULE**

Issue Date: April 14, 2016

Effective Date: April 14, 2016

On April 12, 2016, the Commission issued an order granting the Office of the Public Counsel’s (“OPC’s”) *Motion for Evidentiary Hearing* and setting a procedural schedule. That same day, Laclede Gas Company (“Laclede”) — on behalf of its Laclede Gas and Missouri Gas Energy operating units — filed its opposition to OPC’s motion for an evidentiary hearing and a motion requesting the Commission reconsider its order setting a procedural schedule. Laclede argues that it is unfair and unlawful for OPC to have waited until ten days after the Commission’s Staff filed its recommendation, on April 1, to request an evidentiary hearing. Laclede seeks either a withdrawal of the procedural schedule or a ban on OPC’s use of new evidence or arguments that could have been raised prior to April 1. The Commission will deny Laclede’s request.

Pursuant to Commission rule 4 CSR 240-2.010(10), absent a filed notice of intent not to participate, OPC is automatically considered a party to any case before the

Commission. OPC's *Motion for Evidentiary Hearing* was filed on April 11; ten days after Staff filed its recommendation. Commission rule 4 CSR 240-2.080(13) grants a party ten days after a filing in which to respond to any pleading. Although it could have requested a hearing earlier in the process, OPC's motion was lawful. Laclede expresses concern over the 3-day window to review direct testimony before it must submit rebuttal testimony. While difficult, this does not rise to the level of being unduly burdensome. The issues in dispute are not voluminous and Laclede still has the opportunity to confront OPC's witnesses at hearing and conduct a thorough cross-examination.

THE COMMISSION ORDERS THAT:

1. Laclede Gas Company's Motion for Reconsideration of Procedural Order is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Kim S. Burton, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 14th day of April, 2016.