

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

In the Matter of Laclede Gas Company's)	
Request for a Waiver of Rule 4.020(2) for)	Case No. GE-2017-0193
Upcoming ISRS Case Filings)	

In the Matter of the Application of)	
Laclede Gas Company d/b/a Missouri Gas)	Case No. GE-2017-0194
Energy's Request for Waiver of Rule)	
4.020(2) for Upcoming ISRS Case Filings)	

OPC RESPONSE TO LACLEDE'S REQUEST FOR WAIVER

COMES NOW the Office of the Public Counsel ("OPC") and for its Response to Laclede's Request for Waiver, states as follows:

1. Laclede seeks a waiver of Commission rule 4 CSR 240-4.020(2) requiring companies to file a 60-day notice before filing a case that is likely to be contested, so that Laclede may file its next Infrastructure System Replacement Surcharge ("ISRS") petitions earlier than it otherwise would if it had to file a 60-day notice.
2. The purpose of the 60-day notice is to avoid *ex parte* communication on issues that are likely to become contested once the case is filed.
3. Due to the current ISRS petitions before the Commission in Case Nos. GO-2016-0332 and GO-2016-0333, the Commission is already prohibited from *ex parte* communication regarding any substantive ISRS issues pursuant to 4 CSR 240-4.020(3). OPC intends to file applications for rehearing in those cases, and therefore, the cases will still be open and the *ex parte* communication prohibition in effect at the time Laclede files its new ISRS petition on February 1, 2017.

4. Accordingly, OPC has no objections to Laclede's request for a waiver, so long as the above-mentioned cases are open and the prohibition of *ex parte* communication regarding any substantive ISRS issue remains in place. Should Laclede delay its next ISRS filings beyond the closure of the above-mentioned cases, OPC requests the Commission issue an order prohibiting *ex parte* communication until such time as Laclede files its petitions, at which time the prohibitions included in Rule 4.020(3) would apply.

WHEREFORE, the Office of the Public Counsel respectfully offers this response to Laclede's request for a waiver of Rule 4.020(2).

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 all counsel of record this 26th day of January 2017.

/s/ Marc Poston