

timeframes to enable greater public interest participation.¹ The Commission should reject Laclede's unduly harsh position and recognize that the 10-day time frame presents significant obstacles for consumer and environmental organizations.

2. Laclede next distorts the Commission's standard for intervention, claiming that EDF did not "cite a cognizable interest that is different from the general public or otherwise sufficient to justify their participation in a utility rate case." Laclede Response at 2. The Commission's Rules state that the Commission may grant a motion to intervene if "(A) The proposed intervenor or new member(s) has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; **or** (B) Granting the proposed intervention would serve the public interest." 4 CSR 240-2.075(3). Although the Commission may grant an intervention if either prong is satisfied, EDF's intervention satisfies both prongs of this rule. Laclede seeks to subsume EDF's interest within the interests of Commission Staff, Office of Public Counsel, the Missouri Division of Energy, and the attorneys and experts of various consumer groups. Laclede Response at 2-3. While EDF looks forward to coordinating with these entities if its intervention is granted, its interests in this case are distinctly unique, as described below. Under Laclede's logic, EDF would never be able to participate in proceedings before this Commission. Such a restrictive position certainly runs counter to prior orders

¹ See Application to Intervene by the Consumers Council of Missouri, File Nos. GR-2017-0215 and GR-2017-0216 at 1, n.1 (May 1, 2017) ("Consumers Council managed to file this Application for Intervention within the prescribed 10-day deadline. However, intervention deadlines this short cause a hardship for many organizations and businesses due to the difficulty in responding so quickly. For instance, the Consumers Council Board only meets once a month and thus to receive Board approval for intervention, a special meeting is required. Counsel is not aware of any other state PUC that issues intervention deadlines as short as 10 days. Many state PUCs have no intervention deadline, simply requiring intervenors to accept the procedural schedule as it is upon intervention. A 30-day intervention deadline would make PSC actions more accessible to potential public interest participants.").

granting national environmental groups rights to participate in a multitude of proceedings before this Commission.²

3. In addition to protecting the interests of its more than 1,800 members in the St. Louis region from unjust and unreasonable rates, EDF seeks to intervene to ensure that Laclede's growth strategy ultimately benefits consumers. EDF Intervention at 2. EDF has devoted considerable attention to the buildout of our nation's natural gas infrastructure and the benefits and burdens that local distribution utilities' capacity expansion strategies have on ratepayers. EDF has intervened, commented, and/or provided testimony on these issues in public utility commission proceedings in several states including New York and the District of Columbia as well as before the Federal Energy Regulatory Commission and the Senate Energy and Natural Resources Committee. EDF also seeks to intervene so that its members and others may benefit from well designed and cost effective energy efficiency programs. On this point, the Commission previously granted the Natural Resources Defense Council's intervention, which stated similar interests, in an electric company's rate case.³
4. Laclede posits that EDF's participation will impose burdens on other parties, who will have to "respond to their discovery requests, obtain their consent for any possible settlement of discrete issues (regardless of whether those issues are related to EDF or

² See, e.g., *In the Matter of Kansas City Power & Light Company's Request for Authority to Implement a General Rate Increase for Electric Service*, File No. ER-2016-0285 (granting interventions of Sierra Club and Natural Resources Defense Council); *In the Matter of Union Electric Company, d/b/a Ameren Missouri's Tariff to Increase Its Annual Revenues for Electric Service*, File No. ER-2012-0166 (same); *In the Matter of the Application of Union Electric Company d/b/a Ameren Missouri for Approval Of a Tariff Setting a Rate for Electric Vehicle Charging Stations*, File No. ET-2016-0246 (same); *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company for a Variance from the Commission's Affiliate Transactions Rule*, File No. EE-2017-0113 (same).

³ *In the Matter of Kansas City Power & Light Company's Request for Authority to Implement a General Rate Increase for Electric Service*, File No. ER-2016-0285.

NHT's asserted interests) and otherwise accommodate them as additional parties.”

Laclede Response at 4. However, EDF's intervention made clear that it accepts the record established in this case to date (EDF Intervention at 2), which answers the real question of whether other parties will be burdened by EDF's participation. The supposed burden cited by Laclede is nothing more than the usual procedures that accompany a rate case and are part of the give and take involved when a utility seeks to increase customer rates.

5. Finally, Laclede cites to EDF's intervention in its affiliate's (*i.e.*, Spire STL Pipeline LLC) application before the Federal Energy Regulatory Commission in Docket No. CP17-40 as evidence that it is “intervening here to use the Missouri case as leverage.” Laclede Response at 4. As explained in EDF's Intervention, Laclede's \$58.1 million increase could have a significant and direct impact on the cost of service to retail customers, including EDF members. EDF Intervention at 2. EDF's interests in the case were made transparent in its intervention. To the extent Laclede's affiliate pipeline project imposes increased costs on EDF's members, then that issue fits squarely within EDF's interests of protecting its members from excessive rate increases.

WHEREFORE, EDF requests that the Commission grant EDF's Motion to Intervene, entitling it to fully participate in this proceeding.

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been served by electronic means on all parties on the Commission's most recent service list in this proceeding.

/s/ Maxine Lipeles