

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 9th day of
December, 2009.

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment (PGA) to be)
Audited in its 2004-2005 and 2005-2006)
Actual Cost Adjustment)

**File Nos. GR-2005-0203
and GR-2006-0288**

ORDER DENYING MOTION FOR RECONSIDERATION

Issue Date: December 9, 2009

Effective Date: December 9, 2009

On November 4, 2009, the Missouri Public Service Commission issued an order directing Laclede Gas Company to produce certain information to the Staff of the Commission. Thereafter, Laclede filed a timely request for rehearing or, in the alternative, a request for reconsideration.

Because applications for rehearing, considered under §386.500 RSMo 2000, apply to final orders of the Commission for purposes of appeal to Circuit Court,¹ the Commission considers Laclede's application to be one for reconsideration under Commission rules.² Under the Commission's rule, Laclede is required to set forth the grounds on which it considers the order to be unlawful, unjust or unreasonable.

Throughout this discovery dispute, the Commission has considered the lawfulness, reasonableness and whether its determination in granting Staff's request is just. Laclede has not shown that the Commission's order is unlawful, unjust or unreasonable.

¹ See *Summer v. Public Service Commission*, 366 S.W.2d 738 (Mo. App. 1963).

² Commission rule 4 CSR 240-2.160 (2).

THE COMMISSION ORDERS THAT:

1. Laclede Gas Company's application for reconsidered is denied.
2. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Gunn and Kenney, CC., concur.
Davis and Jarrett, CC., dissent.

Jones, Senior Regulatory Law Judge