

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 19<sup>th</sup>  
day of April, 2017.

In the Matter of Laclede Gas Company d/b/a )  
Missouri Gas Energy's Request to Increase )  
Its Revenues for Gas Service )

**File No. GR-2017-0216**  
Tariff No. YG-2017-0196

**NOTICE OF CONTESTED CASE AND  
ORDER SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: April 19, 2017

Effective Date: April 19, 2017

The Missouri Public Service Commission is suspending Laclede Gas Company's rate increase tariff filed on April 11, 2017, for its Missouri Gas Energy operating unit (MGE), giving notice of a contested case, and delegating authority. MGE filed its tariff on April 11, 2017, seeking a revenue increase in the amount of \$50.4 million, exclusive of associated taxes, of which approximately \$13.4 million is already being recovered through its Infrastructure System Replacement Surcharge (ISRS). The tariff bears an effective date of May 11, 2017.

A. Suspension

The tariff effective date allows insufficient time for the Commission to determine whether the tariff is just and reasonable, as the law requires,<sup>1</sup> so the Commission will suspend the tariff.<sup>2</sup> The Commission may suspend a tariff for 120 days beyond the

---

<sup>1</sup> Section 393.190.1, RSMo Supp. 2013.

<sup>2</sup> Section 393.150, RSMo 2000.

tariff's effective date.<sup>3</sup> If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.<sup>4</sup> The Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order the additional six-month extension of the tariff suspension.

### B. Notice of Contested Case

Suspension of the tariff may occur only pending a "full" hearing and decision on the tariff's propriety.<sup>5</sup> The provision for a full pre-decision hearing signifies that this action is now a "contested case."<sup>6</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities<sup>7</sup> and a decision without a hearing,<sup>8</sup> including by stipulation and agreement.<sup>9</sup>

This order and notice does not require any party to file an answer. Further, the Commission's discovery regulations may be found at Commission regulation 4 CSR 240-2.090.

### C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.<sup>10</sup> To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge

---

<sup>3</sup> Section 393.150.1, RSMo 2000.

<sup>4</sup> Section 393.150.2, RSMo 2000.

<sup>5</sup> Section 393.150.1, RSMo 2000.

<sup>6</sup> Section 536.010(4), RSMo Supp. 2013.

<sup>7</sup> Section 536.060(3), RSMo 2000.

<sup>8</sup> 4 CSR 240-2.115.

<sup>9</sup> Section 386.240, RSMo 2000.

<sup>10</sup> Section 386.240, RSMo 2000.

assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order.

**THE COMMISSION ORDERS THAT:**

1. The tariff assigned Tracking No. YG-2017-0196 is suspended from May 11, 2017, for 120 days, plus six months, to March 8, 2018.
2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel, and may make any such ruling at a discovery conference.
3. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Hall, Chm., Stoll, Kenney,  
Rupp, and Coleman, CC., concur.

Dippell, Senior Regular Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 19<sup>th</sup> day of April 2017.



  
Morris L. Woodruff  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**April 19, 2017**

**File/Case No. GR-2017-0216**

**Missouri Public Service  
Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

Hampton Williams  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**Missouri Gas Energy (Laclede)**

Michael C Pendergast  
700 Market Street, 5th Floor  
St. Louis, MO 63101  
mcp2015law@icloud.com

**Missouri Gas Energy (Laclede)**

Rick E Zucker  
700 Market Street, 6th Floor  
St. Louis, MO 63101  
rick.zucker@spireenergy.com

**Missouri Public Service  
Commission**

Whitney Payne  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
whitney.payne@psc.mo.gov

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

*Sincerely,*



**Morris L. Woodruff  
Secretary**

---

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.