

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

In the Matter of the Application of Laclede Gas)	
Company for a Temporary Variance from Certain)	
Portions of Rule 10.A of its Tariff Regarding Meter)	Case No. GE-2005-0405
Testing in Connection with its Implementation of an)	
Automated Meter Reading Program.)	

DISSENTING OPINION OF COMMISSIONER CONNIE MURRAY

In its order, the Commission voted to grant intervention to Paper, Allied-Industrial, Chemical and Energy Workers Local No. 5-6, AFL-CIO ("Local No. 5-6") in this case. The Commission should not have granted this request for intervention when the grounds asserted by Local No. 5-6 are not a cognizable interest. I must, therefore, dissent.

This case involves Laclede Gas Company's ("Laclede") request for a variance from the statistical sampling requirements of the meter testing program referenced in its tariff. Laclede is seeking this variance in order to implement a system-wide automated meter reading ("AMR") program. This variance would allow Laclede implement the AMR program with the least inconvenience to customers; and would accelerate the replacement of older-style meters that cannot accommodate a self-contained AMR unit. Automated meter reading devices allow for more accurate billing for Laclede's customers.

Local No. 5-6, without stating whether or not they object to Laclede's request for a variance, stated in its Application to Intervene that its members' interests were different from the general public. Local No. 5-6 stated:

"Where the general public's interests here are concentrated in the dependable delivery of natural gas and related products and services at a

reasonable cost, Local 5-6 and the employees it represents are additionally concerned with the impact the proposed tariffs could have on jobs and other terms and conditions of employment."

In other words, Local No. 5-6 agrees that it has the same interest as the general public in safe and adequate service at reasonable rates, while it asserts that, unlike the general public, its members are concerned with the job losses that could occur if Laclede no longer needs actual employees to read its meters. It is this latter reason for which Local No. 5-6 requests to participate in this case.

A labor dispute between union employees and a public utility is not an issue upon which this Commission has any authority to act. We have no statutory authority to hear disputes between labor and management in a public utility. We therefore, should not grant intervention in a case based on an issue that is not cognizable before this Commission.

Further, Laclede's request for variance will not stop the AMR program that is now in place. Laclede's request for a variance will simply abandon the "random sampling method" for installing automated meter reading capabilities and speed up the rate at which certain meters will be given AMR capabilities. Even if the Commission could review the labor dispute between Local No. 5-6 and Laclede, the issues raised by the request for a variance do not relate to the potential loss of jobs that Local No. 5-6 is concerned with. For these reasons, I respectfully dissent.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri
on this 24th day of January, 2006.