

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at Harris-Stowe
State University in St. Louis,
Missouri, on the 8th day of July,
2009.

In the Matter of Laclede Gas Company's Tariff Revision)	
Designed to Clarify Its Liability for Damages Occurring)	<u>File No. GT-2009-0056</u>
on Customer Piping and Equipment.)	Tariff No. JG-2009-0145

**ORDER ADOPTING PROCEDURAL SCHEDULE
AND SUSPENDING TARIFF**

Issue Date: July 8, 2009

Effective Date: July 8, 2009

On August 22, 2008, Laclede Gas Company filed tariff revisions designed to clarify its liability for damages occurring on customer piping and equipment beyond the Company's meter. The Office of the Public Counsel filed a motion requesting that the tariff revisions be rejected by the Commission. The revisions, assigned Tariff File No. JG-2009-0145, have been voluntarily extended by Laclede and currently have an effective date of July 22, 2009.

After a procedural conference was held, the Commission postponed any further action in this case while the parties discussed resolution of the issues. On June 29, 2009, after consulting the Staff of the Commission and the Office of the Public Counsel, Laclede filed a proposed procedural schedule.

The Commission has reviewed the proposed schedule and will adopt it with the exception of a modification of the hearing dates.¹ The following conditions shall apply to the schedule:

(A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) As agreed to by the parties, objections to data requests shall be provided within three business days after receipt, and answers to data requests shall be provided within five business days of receipt.

(C) The parties shall jointly or separately file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission. The Commission notes that the parties' framing of the issues may not accurately reflect the material issues to this matter under the applicable statutes and rules, and it may not include all issues that the Commission finds material to its final decision. The Commission further notes that as an ancillary issue to any case before the Commission, the Commission will always hear evidence as to the provision of safe and adequate service. Should the Commission find that evidence exists of unsafe or inadequate service, it may elect to authorize its General Counsel to pursue a complaint

¹ The Regulatory Law Judge contacted the parties via e-mail and verified that there is no objection to this change.

action or to seek penalties for any established violations of state statutes, Commission rules, or the company's tariffs.

(D) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(E) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(F) All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

Because the procedural schedule adopted extends beyond the current effective date of the tariff, the Commission will suspend the tariff as set out below.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is adopted:

Direct testimony, Laclede	July 17, 2009
Rebuttal testimony, ² Staff and Public Counsel	August 19, 2009
Surrebuttal testimony, ³ all parties	September 23, 2009
Issues list, order of witnesses, and order of cross-examination	September 29, 2009

² Rebuttal testimony shall respond to matters raised in direct testimony.

³ Surrebuttal testimony shall respond to matters raised in rebuttal testimony.

Statements of position, all parties

October 2, 2009

Hearing

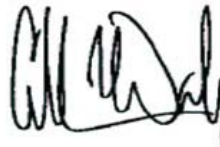
October 8-9, 2009
9:00 a.m. (first day)

The hearing shall be held in the Commission's offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing is requested to call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

2. Laclede Gas Company's tariff, designated Tariff File No. JG-2009-0145, is suspended until December 19, 2009, unless otherwise ordered by the Commission.

3. This order shall become effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dippell, Deputy Chief Regulatory Law Judge