

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

In the Matter of Laclede Gas Company’s   )  
Filing of Revised Tariffs to Increase its Annual                                     )           **Case No. GR-2013-0171**  
Revenues for Natural Gas   )

**SECOND RECOMMENDATION OF THE PARTIES REGARDING  
PROCEDURAL SCHEDULE, PUBLIC HEARINGS AND CUSTOMER NOTICE**

COMES NOW the Staff (Staff) of the Missouri Public Service Commission (Commission), by and through counsel, on behalf of all parties to this case (collectively, “Parties”), and pursuant to the Commission’s February 13, 2013, *Order Regarding Recommended Procedural Schedule* and respectfully submits the following second recommendation modifying and incorporating the recommendations made by the Parties in its first proposed procedural schedule, including Staff’s motion regarding the use of the Commission’s Electronic Filing and Information System (EFIS) for conducting discovery:

**Proposed Procedural Schedule**

1. The Parties agree to provide all workpapers (in electronic format, whenever feasible) within two (2) business days following the date when the related testimony is filed.
2. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.
3. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is

available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

4. The Parties make the following agreements regarding response time for data requests:

(A) Until direct testimony is filed on May 17, 2013, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information.

(B) After May 17, 2013, until rebuttal testimony is filed on July 3, 2013, the response time for data requests shall be fifteen (15) calendar days to provide the requested information, and eight (8) calendar days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information.

(C) After rebuttal testimony is filed on July 3, 2013 the response time for data requests shall be five (5) business days to provide the requested information and three (3) business days to object or notify the requesting party that more than five (5) business days will be needed to provide the requested information.

(D) If later in the case the Commission determines that a true-up is necessary, the response time for true-up data requests issued after the hearing shall be three (3) business days to provide the requested information, and one (1) business day to object or notify the requesting party that more than three (3) business days will be needed to provide the requested information.

5. The parties agree to the following provisions regarding discovery:

(A) Discovery conferences will be held in Room 305 at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri or in the Commission's offices in St. Louis, Missouri. Each discovery conference will begin at 10:00 a.m.

(B) Not less than two (2) business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.

(C) Discovery conferences shall be on the record and shall be transcribed by a court reporter.

(D) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

(E) Commission Rule 4 CSR 240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

(F) If the parties do not identify any discovery disagreements or concerns as described in Paragraph 5(B), the time allotted for the discovery conference may be used for informal, off-the-record technical conferences as arranged by the Parties.

(G) All data requests, subpoenas, or other discovery requests shall be issued no later than July 26, 2013. With respect to deposing a witness, so long as a notice of deposition is issued by July 26, 2013, the deposition may occur, notwithstanding that the deposition will

take place after July 26, 2013, or that there could be other conditions that must be satisfied prior to the deposition.

(H) All motions to compel a response to any discovery request related to the direct case shall be filed no later than August 2, 2013.

(I) Except for the period between July 26 and August 16, data requests, subpoenas duces tecum, or other discovery requests, such as requests for admission, that are directed toward the true-up phase of this case (if later determined by the Commission to be necessary) may be issued through September 3, 2013. With respect to deposing a witness relating to the true-up phase, so long as a notice of deposition is issued by August 30, 2013, the deposition may occur notwithstanding that the deposition will take place after August 30, 2013.

(J) All motions to compel a response to any discovery request related to the true-up case shall be filed no later than September 9, 2013.

(K) The Parties shall make an effort to not include in data request questions either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to 4 CSR 240-2.135.

(L) Any data requests issued to or issued by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS). All data requests other than those issued to or by Staff, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent via e-mail to counsel for the other parties. Counsel may designate other counsel to be added to the certified service list and shall assume responsibility for compliance with any restrictions on confidentiality. If a party responds to a data request in EFIS, the response is available in EFIS to all counsel on the

certified service list. Data request responses, other than responses to data requests issued to or issued by Staff, will be served on counsel for the requesting party and on the requesting party's employee or representative who submitted the data request and shall be served electronically, if feasible and not voluminous as defined by Commission rule. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the responses from the party answering the data request– in this manner the party providing a response to a data request has the opportunity to object to providing the response to another party. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to.

6. The Parties further recommend the Commission adopt the following procedural schedule:

<b><u>Item</u></b>	<b><u>Date</u></b>
Discovery Conference	March 19, 2013
Discovery Conference	April 19, 2013
Non-Laclede parties to file Direct Testimony on revenue requirement	May 17, 2013
Data Request Response Time Changes to (15) calendar days/(8) calendar days to object	May 18, 2013
Discovery Conference	May 23, 2013
Non-Laclede parties to file Direct Testimony on rate design	May 31, 2013
Preliminary Reconciliation circulated to the parties	May 31, 2013

Local Public Hearing University of Missouri-St. Louis	TBD, June 3-4, 2013
Local Public Hearing Harris Stowe	TBD, June 3-4, 2013
Local Public Hearing St. Louis County, Meramec College	TBD, June 3-4, 2013
Local Public Hearing St. Louis County, Thornhill Library	TBD, June 3-4, 2013
Early Technical/Settlement Conference (informal and not “on the record”)	June 11-14, 2013
Discovery Conference	June 20, 2013
Local Public Hearing City of St. Charles	TBD, June 17-19, 2013
Local Public Hearing Jefferson County	TBD, June 17-19, 2013
Preliminary list of issues circulated among the parties	June 26, 2013
All parties to file Rebuttal Testimony	July 3, 2013
Data Request Response Time Changes to (5) business days /(3) business days to object	July 4, 2013
Settlement Conference (informal, not on the record)	July 8-9, 2013
Discovery Conference	July 10, 2013
All parties to file Surrebuttal or Cross-Surrebuttal Testimony	July 22, 2013
Close of Discovery for Direct case	July 26, 2013
List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening	July 29, 2013
Reconciliation	July 29, 2013

Statements of Position	August 1, 2013
Settlement Conference (if necessary, informal and not “on the record”)	August 1-2, 2013
Evidentiary Hearing	August 7-16, 2013 <sup>1</sup>
True-Up Data Request Response Time Changes to (3) business days /(1) business day to object (on the day after end of evidentiary hearing, but not later than August 16)	August 7-16, 2013
All parties file True-Up Direct Testimony (if necessary)	August 29, 2013
Close of Discovery for true-up case (if necessary)	September 3, 2013
All parties file True-Up Rebuttal Testimony (if necessary)	September 9, 2013
True-Up Hearing (if necessary)	September 12-13, 2013
All parties file Initial Post-Hearing briefs	September 19, 2013
All parties file Reply/True-Up briefs	September 27, 2013

**Local Public Hearings**

7. The Parties recommend that a total of six local public hearings be held in this case, and that such hearings be scheduled on dates to be determined (TBD) by the parties during the weeks covering June 3-4, 2013 and June 17-19, 2013. The Parties further propose two public hearings be held in or near the City of St. Louis, two public hearings be held in St. Louis County, one public hearing in St. Charles County and one public hearing in Jefferson County. By proposing hearings in various portions of Laclede’s service territory, the parties believe that such

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<sup>1</sup> The Commission ordered that the evidentiary hearing take place August 1 through 16. The Parties do not expect this case to require all 12 days for hearing; however, the Parties recommend that August 1 through 6 be reserved for settlement discussions, if necessary.

hearings should provide an adequate opportunity for customers to testify on the Company's proposed filings in a public forum.

**Customer Notice Language**

8. Finally, the Parties recommend that the Company individually notify its customers of the rate increase request and public hearings, via a bill insert, with such notice to be provided at least 15 days prior to the first public hearing. The Parties further recommend that the following language be used in such notices:

**NOTICE OF LOCAL PUBLIC HEARINGS  
REGARDING PROPOSED RATE INCREASE**

In December 2012, Laclede Gas Company asked the Missouri Public Service Commission (PSC) to approve an increase in its natural gas service rates of approximately \$58.4 million, of which approximately \$1X.X million is already being recovered in rates through Laclede's Infrastructure System Replacement Surcharge (ISRS), resulting in a net increase of \$4X.X million. For the average residential customer the proposed increase would be approximately \$X.XX per month. Laclede proposes to collect the increase through its flat monthly charge. For residential customers, that charge would increase \$1.XX per month to \$23.10 during May-October, and would increase \$6.XX per month to \$28.10 during November-April.

Laclede last received a general rate increase for costs incurred through March 2010. The proposed rate increase is intended to reflect increases over the past three years in operating costs incurred to deliver gas and in Laclede's investments in plant used to serve customers, such as its new computer system, which includes a new customer information system.

The PSC will conduct an investigation and hold hearings to determine if the proposed rates are just and reasonable. The PSC has the authority to approve rates that are lower than Laclede's request depending on the results of its investigation and hearing.

The PSC will hold public hearings in which customers will have an opportunity to present comments to the PSC commissioners about the rate increase request. Public comment hearings have been set before the PSC as follows:

**TBD, June 3-4**

**St. Louis City/  
North St. Louis County (2) UMSL (afternoon); Harris-Stowe (evening)**

**TBD, June 3-4**

**South St. Louis County/  
West St. Louis County (2) Meramec College (afternoon); Thornhill Library (evening)**



**TBD, June 17-19**

**St. Charles County  
(evening)**

**(St. Charles Comm. College, or City of St. Charles)**

**TBD, June 17-19**

**Jefferson County  
(evening)**

**(Festus/Crystal City – Crystal City High School)**

**\*A question-and-answer session will be held one-half hour before the beginning of each hearing.**

If you are unable to attend a live public hearing and wish to make written comments or secure additional information, you may contact the Office of the Public Counsel, P.O. Box 2230, Jefferson City, Missouri 65102, telephone (573) 751-4857, email [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov) or the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, telephone 800-392-4211, email [pscinfo@psc.mo.gov](mailto:pscinfo@psc.mo.gov).

Comments may also be registered in the case using the Commission's electronic filing system at <https://www.efis.psc.mo.gov/mpsc/Comments.html>. If submitting comments electronically, please reference Case Number GR-2013-0171.

The Commission will also conduct an evidentiary hearing at its offices in Jefferson City from August 7-9 and from August 12-16, 2013, beginning at 8:30 a.m. The hearings and local public hearings will be held in buildings that meet accessibility standards required by the Americans with Disabilities Act. If a customer needs additional accommodations to participate in these hearings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

**WHEREFORE**, for the foregoing reasons, the Staff respectfully requests on behalf of all the Parties that the Commission approve the recommendations set out above.

Respectfully Submitted,

**STAFF OF THE MISSOURI  
PUBLIC SERVICE COMMISSION**

/s/ *John D. Borgmeyer*

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 27<sup>th</sup> day of February, 2013.

/s/ *John D. Borgmeyer*