

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

In the Matter of the Verified Application of Laclede )  
Gas Company for an Order Establishing )  
Replacement Requirements for the Final Phase of )  
its Soft Copper Service Line Replacement Program )  
Previously Approved Pursuant to Case )  
No. GO-99-155 )

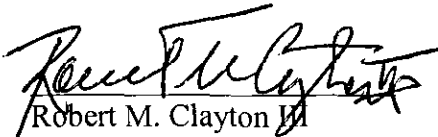
**Case No. GS-2008-0038**

**DISSENTING OPINION OF COMMISSIONER**  
**ROBERT M CLAYTON III**

This Commissioner respectfully dissents from the majority's Order Continuing Requirements. As previously stated in the dissent filed in the original case, Case No. GO-99-155, on March 19, 2006, and the dissent filed in Case No. GS-2008-0038, on October 1, 2007, this Commissioner continues to be concerned that Laclede has not been aggressive enough in its soft copper service line replacement program. Rather than reducing the replacement requirements, public safety concerns suggest the need for discussion to accelerate the program. Also, statutorily authorized rate making provisions known as the Infrastructure System Replacement Surcharge should assist in advancing important projects. Unfortunately, the presence of the surcharge has not led to increased investment.

For the foregoing reasons, this Commissioner respectfully dissents.

Respectfully submitted,

  
Robert M. Clayton III  
Commissioner

Dated at Jefferson City, Missouri,  
on this 1<sup>st</sup> day of October 2008.