

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

In the Matter of the Verified Application     )  
and Petition of Laclede Gas Company to     )  
Change its Infrastructure System             )  
Replacement Surcharge.                     )  
   )

**Case No. GO-2009-0389**  
YG-2009-0760

**STAFF RESPONSE TO LACLEDE'S RESPONSE TO STAFF  
RECOMMENDATION AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Staff of the Missouri Public Service Commission and for its response to Laclede's July 2, 2009 Response to Staff Recommendation and Motion for Expedited Treatment states:

1. On April 28, 2009, Laclede Gas Company (Laclede or Company) filed an Application and Petition (Application) with the Missouri Public Service Commission requesting that the Commission authorize it to change its Infrastructure System Replacement Surcharge (ISRS).
2. On May 4, 2009, the Commission issued its Order Directing Notice and Setting Intervention Date in which it directed any party wishing to intervene in this matter to file an application to do so by May 24, 2009. On May 13, 2009, the USW Local 11-6 filed its Application to intervene. The Commission issued its Order Granting Application To Intervene on May 26, 2009.
3. On June 26, 2009, Staff filed its Memorandum and as a result of its review and calculations, the Staff recommended an increase in ISRS revenues of \$2,473,240 and an appropriate annual composite ISRS revenue requirement of \$8,093,710.

4. It is true that in the Unanimous Stipulation and Agreement in Case No. GR-2007-0208, the parties agreed to work toward implementation of the Company's ISRS filings as soon as reasonably possible. This agreement, however, cannot bind the Commission in any way.

5. Staff did not agree to support expedited treatment and while Staff does not oppose the Motion, Staff notes the Commission's rule requires pleadings for expedited treatment to state with particularity the harm that will be avoided, or the benefit that will accrue, including a statement of the negative effect, or that there will be no negative effect on the party's customers or the general public.

6. With regard to the Company's tariff filing YG-2009-0760, Laclede filed a substitute tariff sheet with the Commission on July 2, 2009 intended to reflect an ISRS rate for each customer class as reflected in Attachment 1 of Staff's June 26<sup>th</sup> Memorandum. Staff has reviewed the substitute tariff sheet and has determined it correctly states the ISRS rates reflected in Attachment 1 of Staff's Memorandum.

**WHEREFORE**, for the foregoing reasons, the Staff notes that its agreement with Laclede to process the ISRS as soon as reasonably possible does not indicate Staff's support of a Motion for Expedited Treatment.

Respectfully submitted,

**/s/ Robert S. Berlin**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 8<sup>th</sup> day of July 2009.

**/s/ Robert S. Berlin**