

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

In the matter of)	
)	
USW Local 11-6,)	GC-2006-0390
)	
and)	
)	
Laclede Gas Company)	

MOTION IN SUPPORT OF CELLNET DEPOSITION SUBPOENA

Comes now USW 11-6 and requests the Commission to issue a deposition subpoena in this matter to third party Cellnet Technology, Inc. (“Cellnet”) for the reasons set forth below:

1. The complaint in this matter pertains to the issue of the safe and adequate installation of Automatic Meter Reading (“AMR”) devices on gas meters serviced by Laclede Gas Company (“Laclede”).

2. Laclede subcontracted the installation to Cellnet.

3. Cellnet subcontracted the installation to Honeywell Corporation (“Honeywell”), who in turn subcontracted the hiring of all field installers to Manpower Inc. (“Manpower”).

4. The deposition of a representative of Honeywell revealed that Honeywell does not maintain records of leaks or other problems it learns of that are associated with its installation of AMR devices. It claims to obtain such data from Cellnet and, sometimes, to forward it to Laclede directly. Laclede has failed to provide any such information, claiming that it does not distinguish meter leaks and meter hazards by whether or not they are caused by, or occur in close proximity to, AMR installation.

5. However, any such data held by Cellnet will clearly relate to AMR installation, since AMR is the only connection between Cellnet and Laclede. The deposition of a Cellnet representative will be necessary to explain the data and the conditions of collection, as well as to establish Laclede's involvement in or knowledge of these problems and of other conditions relating to AMR installation that may effect the quality and safety of that work.

6. PSC regulations provide that parties to a complaint have available the full panoply of discovery available to litigants in the Missouri judicial system. USW 11-6 would be permitted the opportunity to conduct the referenced third-party discovery in similar litigation in the Missouri courts.

7. Additionally, Laclede's counsel has indicated that it will be bringing one or more Cellnet representatives to the AMR demonstration scheduled for August 31, 2006. Accordingly, Laclede has acknowledged the relevance and significance of Cellnet to this proceeding.

Wherefore, USW 11-6 respectfully requests the PSC issue the referenced third-party subpoenas which have been separately filed.

Respectfully submitted,

/s/ Sherrie A. Schroder

SHERRIE A. SCHRODER, MBN 40949
JANINE M. MARTIN, MBN 46465
HAMMOND, SHINNERS, TURCOTTE,
LARREW and YOUNG, P.C.
7730 Carondelet Avenue, Suite 200
St. Louis, Missouri 63105
(314) 727-1015 (Telephone)
(314) 727-6804 (Fax)
saschroder@hstly.com (E-mail)
jmartin@hstly.com (E-mail)

Attorneys for United Steelworkers of America
Local No. 11-6, AFL-CIO

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served on August 22, 2006, by United States mail, hand-deliver, email, or facsimile upon:

General Counsel Office
Missouri Public Service Commission
GenCounsel@psc.mo.gov

Lewis Mills
Office of Public Counsel
opcservice@ded.mo.gov

Marc Poston
Office of Public Counsel
marc.poston@ded.mo.gov

Robert Franson
Missouri Public Service Commission
robert.franson@psc.mo.gov

Michael C. Pendergast
Vice President – Associate General
Counsel of Laclede Gas Company
mpendergast@lacledegas.com

Rick Zucker
Laclede Gas Company
rzucker@lacledegas.com

/s/ Sherrie A. Schroder _____