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June 12, 2001

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Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

RE: Case No. GM-2001-342

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **LIST OF ISSUES**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

  
Cliff E. Spodgrass  
Senior Counsel

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CES:sw

Enclosure

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

JUN 12 2001

Missouri Public  
Service Commission

In the Matter of the Application of )  
Laclede Gas Company for an Order )  
Authorizing Its Plan to Restructure Itself )  
Into a Holding Company, Regulated )  
Utility Company, and Unregulated )  
Subsidiaries. )

Case No. GM-2001-342

LIST OF ISSUES

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and pursuant to a previous Commission Order directing the Staff to file a List of Issues in behalf of all the parties, Staff respectfully submits the following List of Issues to the Commission for its review. Staff believes that this List of Issues is unanimous but Staff was unable to obtain final, formal approval of the list from the intervenors in this case. In the event these intervenors do not regard this List of Issues as protecting their respective interests, Staff would have no objection to these parties filing a separate List of Issues at any reasonable time.

Staff would also advise the Commission that the parties have indicated a willingness to pursue a Partial Unanimous Stipulation and Agreement in this matter that will necessarily further narrow the issues for hearing. Staff believes it is likely that the parties will request Commission approval to submit both a Partial Stipulation and a Revised List of Issues in this case at a later date.

## **LIST OF CONTESTED ISSUES**

### **General Issues**

**Does the application for authority to reorganize as currently filed represent a detriment to the public interest? If so, what is the nature and significance of that detriment to the approval of the application?**

**Should the Commission approve certain conditions before this proposed restructuring is approved? What, if any conditions discussed in the prefiled testimony of the parties, should be approved by the Commission?**

**Does Section 393.140 (12) RSMo 2000 prevent imposition of conditions limiting or requiring Commission approval of the business activities of the proposed holding company and its unregulated subsidiaries? Do other regulated utilities engage in unregulated business activities through subsidiary companies with or without Commission approval?**

### **Issues relating to the Intervenor Unions**

**If the Commission accepts OPC's recommendation that it and Staff should have access to employees of the Laclede Gas Company and the Laclede Group in connection with Cost Allocation (CAM) compliance should that "access" be limited to non-bargaining unit employees?**

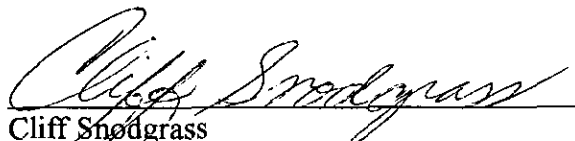
**In the alternative, in connection with CAM compliance, if the Commission believes that the Staff and OPC should have access to all employees of the companies described just above, regardless of bargaining unit status, should the Staff and OPC be required to give reasonable notice of any requested inquiry to the bargaining unit employee's union and allow that union to be present and represent the employee during the CAM inquiry?**

**If the Commission adopts the Staff's recommendation that a "Code of Conduct" be applied to CAM compliance should enforcement of this Code be limited to non-bargaining unit employees?**

**Do the other parties agree to the considerations sought by the unions as detailed on page 7 and page 8 of Mr. Schulte's Surrebuttal?**

Respectfully submitted,

DANA K. JOYCE  
General Counsel



Cliff Snodgrass  
Senior Counsel  
Missouri Bar No. 52302

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### Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 12th day of June, 2001.



**Service List for**  
**Case No. GM-2001-342**  
**Revised: June 12, 2001 (SW)**

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