## 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	)	Case No. GO-2009-0221
Infrastructure System Replacement Surcharge	)	

## NOTICE REGARDING MODIFICATION TO MOTION FOR EXPEDITED TREATMENT

**COMES NOW** Laclede Gas Company ("Laclede" or "Company") and for this Notice Regarding Modification to Motion for Expedited Treatment, states as follows:

- 1. On January 20, 2009, Staff filed its Memorandum and Recommendation ("Staff Recommendation") in this case in which it recommended the level of ISRS costs that Laclede should be allowed to reflect in this ISRS filing.
- 2. On January 21, 2009, Laclede filed its Response to the Staff Recommendation and Motion for Expedited Treatment, seeking to obtain approval, effective February 4, 2009, of a compliance tariff that was filed on the same day to reflect the level of ISRS costs recommended by the Staff.
- 3. On January 26, 2009 and again on January 27, 2009, Staff filed pleadings expressing no opposition to the compliance tariff filing and indicating that such filing was in compliance with the Staff Recommendation. The Office of the Public Counsel ("OPC") requested and was granted until January 30, 2009 to file its response to the compliance tariff filing. Pursuant thereto, Public Counsel submitted its Response on January 30, 2009 in which it indicated that it was not taking a position on Laclede's tariff proposal or Staff's Memorandum in this case but reserving the right to take a position on the prudency of Laclede's ISRS costs in the Company's next general rate case proceeding.

4. Since all of the parties to this case have either concurred in, or expressed no opposition to, Laclede's January 21, 2009 ISRS tariff filing, Laclede renews its request that the Commission approve the tariff as soon as reasonably possible. Because the Commission's next scheduled agenda meeting is not until February 4, 2009, however, Laclede recognizes that it will not be possible to make the tariff filing effective on the date originally requested by Laclede. Accordingly, Laclede wishes to notify the Commission that it is modifying its requested effective date for the compliance tariff filing to February 6, 2009.

5. Laclede has circulated this Notice to counsel for Staff and OPC and both parties have indicated that they do not oppose the Company's requested effective date, as modified herein.

**WHEREFORE**, for the foregoing reasons, Laclede respectfully requests that the Commission approve the Company's compliance tariff filing effective February 6, 2009.

Respectfully submitted,

## /s/ Michael C. Pendergast

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ATTORNEYS FOR LACLEDE GAS COMPANY

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties of record this 3rd day of February, 2009 by hand-delivery, fax, electronic mail or regular mail, postage prepaid.

/s/ Gerry Lynch	
Gerry Lynch	