

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

USW Local 11-6)	
)	
v.)	Case No. GC-2006-0390
)	
Laclede Gas Company,)	
Respondent.)	

LACLEDE GAS COMPANY’S RESPONSE
OPPOSING MOTION FOR LEAVE TO FILE TESTIMONY OUT OF TIME

COMES NOW Laclede Gas Company (“Laclede” or “Company”) and files this response opposing the request by USW Local 11-6 (the “Union”) to file direct testimony out of time, and in support thereof, states as follows:

1. The procedural schedule in this case was established by order dated September 8, 2006. Direct Testimony was due on September 26, 2006, with an extension to file supplemental direct arising out of the CellNet deposition. Accordingly, on September 26, 2006, the Union filed testimony in support of 21 witnesses, including 10 Union members who are or were Laclede employees. In addition, the Union also filed excerpts from three depositions as part of its direct testimony. On October 3, the Union added excerpts from the CellNet deposition.

2. On October 23, 2006, the Union filed a motion to add to its direct case the testimony of a customer, Mary Hall. Laclede did not oppose this motion and the Commission granted it, making a total of 26 pieces of testimony in support of the Union’s direct case.

3. The Union now seeks to further supplement its direct case with the testimony of an 11th Laclede employee/Union member, Mr. Glen Haley. Laclede objects to further supplementing direct testimony. With rebuttal testimony due on November 8,

2006, and with an unusually large number of witnesses already involved in this case, it is not reasonable for the Union to continue to add testimony a full month after the deadline. Further, since there are already four Union witnesses who are testifying from their experience as Laclede meter readers, there is no need to add Mr. Haley to the pile.

4. Given the surfeit of witnesses that already exist in this case, and the time involved in digesting and/or opposing motions to add additional witnesses, it is more appropriate to move the entire procedural schedule than to add a repetitive witness at this time.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission deny the Union's motion to file testimony out of time.

Respectfully Submitted,

/s/ Michael C. Pendergast

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all of the parties to this case on this 6th day of November, 2006 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker