

LACLEDE GAS COMPANY
720 OLIVE STREET
ST. LOUIS, MISSOURI 63101

AREA CODE 314
342-0532

MICHAEL C. PENDERGAST
ASSOCIATE GENERAL COUNSEL

FILED

November 9, 1998

NOV 10 1998

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Judge
Missouri Public Service Commission
Harry S Truman Building
301 W. High Street, 5th Floor
Jefferson City, MO 65101

RE: Case No. GO-99-155

Dear Mr. Roberts:

Enclosed for filing, please find the original and fourteen copies of the Reply of Laclede Gas Company to Staff's Response in the above-referenced case. Please see that this filing is brought to the attention of the appropriate Commission personnel.

Please file-stamp the additional copy of such filing and return the same in the pre-addressed, stamped envelope provided.

Thank you for your consideration in this matter.

Sincerely,

Michael C. Pendergast
Michael C. Pendergast

MCP:jaa

cc: All parties of record

Enclosure

05.

FILED

NOV 10 1998

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of Laclede Gas Company)
regarding the adequacy of Laclede's) Case No. GO-99-155
service line replacement program and)
leak survey procedures.)

REPLY OF LACLEDE GAS COMPANY TO STAFF'S RESPONSE

COMES NOW Laclede Gas Company ("Laclede" or "Company")
and for its Reply to Staff's Response, states as follows:

1. On November 3, 1998, the Staff of the Missouri Public Service Commission ("Staff") filed a response to several suggestions which had been made by Laclede in its October 22, 1998 response to Staff's motion to open the above-captioned docket. As the Commission correctly noted in its October 30, 1998 Order Establishing Case in this matter, Laclede was committed to addressing the issues raised by Staff in its Motion in both a prompt and reasonable manner and therefore did not object to opening a docket for that purpose. The Commission also correctly noted in its Order Laclede's additional suggestion in its response "...that any determination regarding the scope of this docket should be deferred until such time as: (1) Laclede has had an opportunity to respond to the recommendations made by the Staff in Case Nos. GS-98-422 and GS-98-423; and (2) Staff has had an opportunity to advise the Commission of its position regarding the adequacy of Laclede's response." Order, p. 2.

2. Despite the apparent clarity of Laclede's request that the Commission simply defer a final determination on the

proper scope of this docket pending its receipt of this additional information, the Staff states incorrectly at several places in its November 3, 1998 response that Laclede "has asked the Commission to limit the scope of this docket." See Staff's Response, p. 1, emphasis supplied. Staff then goes on to argue why, in its opinion, the Commission should not limit the scope of this docket.

3. Staff's assertion that Laclede has asked the Commission to limit the scope of this docket is, of course, a complete mischaracterization of what Laclede actually recommended in its response and what this Commission apparently understood that recommendation to be. At no time did Laclede suggest or even imply in its response that the Commission should in any way limit the issues to be considered in this proceeding. Instead, the Company simply proposed a procedure by which these issues could, at some point in this proceeding, hopefully be narrowed if and only if the Staff and the Commission were satisfied with the steps taken by Laclede to address the concerns raised by Staff.

4. Staff is, of course, entirely free to oppose such a procedure, even though it would do nothing more than give Staff both the discretion and the additional information it needs to better identify and advise the Commission on what specific issues the Staff itself believes should be pursued in this proceeding. Staff is not entitled, however, to misrepresent Company positions that have never been taken or

argue that the Commission should deny Company requests that have never been made.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael C. Pendergast".

Michael C. Pendergast
Associate General Counsel
Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101
(314) 342-0532
Missouri Bar. No. 31763

CERTIFICATE OF SERVICE

Michael C. Pendergast, Associate General Counsel for Laclede Gas Company, hereby certifies that the foregoing Reply of Laclede Gas Company to Staff's Response in this case has been duly served upon all parties of record to this proceeding by placing a copy thereof in the United States mail, postage prepaid, on this 9th day of November, 1998.

Michael C. Pendergast