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## Missouri Public Service Commission

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September 17, 1999

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**FILED<sup>2</sup>**  
SEP 17 1999  
Missouri Public  
Service Commission

**RE: GR-99-315 - In the Matter of Laclede Gas Company's Tariff Sheets to Revise Natural Gas Rate Schedules**

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **STAFF'S OBJECTIONS TO PORTIONS OF THE DEPOSITION OF DAVID BROADWATER BEING ADMITTED INTO THE HEARING RECORD.**

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. Snodgrass  
Senior Counsel  
(573) 751-3966  
(573) 751-9285 (Fax)

CS/jb  
Enclosure  
cc: Counsel of Record

FILED<sup>2</sup>

SEP 17 1999

Missouri Public  
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of Laclede Gas Company's  
Tariff Sheets to Revise Natural Gas Rate  
Schedules

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)  
)

Case No. GR-99-315

**STAFF'S OBJECTIONS TO PORTIONS OF THE DEPOSITION OF DAVID  
BROADWATER BEING ADMITTED INTO THE HEARING RECORD**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") by and through one of its attorneys, and respectfully lists the Staff's objections to portions of the deposition of David Broadwater ("witness or Broadwater") being admitted into evidence. Staff will briefly summarize the objectionable material and it should be noted that all objections listed below were made during the deposition of Broadwater by the attorney for the Staff. The pages and line numbers contained within Staff's objections identify where the objectionable information can be found in the Broadwater deposition.

**STAFF'S OBJECTIONS**

**Objection** to the question contained on page 61, lines 24 and 25, continuing over to page 61, lines 1 and 2. **Basis:** Witnesses are required to testify as to facts within their personal knowledge, asking the witness what someone else "meant" requires speculation and is improper. Both the question and all testimony relating to this question should be stricken.

**Objection** to the answer of the witness contained in lines 10 and 11 on page 61. **Basis:** The witness clearly states his answer would require a "guess and speculation" see lines 8 and 9 of page 62. All testimony relating to the answer to the question contained on lines 24 and 25 of

page 61 and lines 1 and 2 of page 62 should be stricken because the witness is speculating and not testifying to facts within his personal knowledge.

**Objection** to the question contained on page 63, lines 2 through 6. **Basis:** Question requires the witness to speculate on the “intention” of someone else’s remark. Both the question and all testimony in response to this question should be stricken as improper speculation or guesswork.

**Objection** to the question contained on page 83, lines 8 through 17. **Basis:** Asking the witness to agree that there is a “big problem” with an analysis is ambiguous because “big” needs to be placed in context, big as compared to what? In addition, the question is an improper characterization because it requires the witness to accept the questioner’s conclusion about the analysis, rather than allow the finder of fact to properly make the conclusion. Both the question and all testimony in response to this question should be stricken.

**Objection** to the answer of the witness in connection with a question located on page 85, lines 17 through 25. **Basis:** The witness clearly says on page 86, line 1, that his answer would be “speculation, at best.” Therefore the answer to the question would require a guess or speculation and would be improper as not based upon facts within the personal knowledge of the witness. Therefore all testimony in response to the question should be stricken.

**Objection** to the answer of the witness to the questions contained on page 86, lines 7 through 11, and line 13 of page 86, as requiring speculation from the witness. **Basis:** The witness clearly indicates in response to the questions (on line 14 of page 86) that “we’re speculating”.

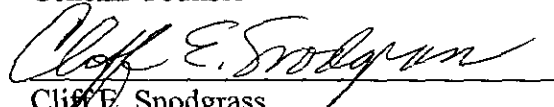
Therefore, the answer would be improper because it is based upon guesswork, and not facts within the personal knowledge of the witness. All testimony in response to these questions should be stricken.

**Objection** to the question contained on page 128, lines 16 through 25. **Basis:** The question is compound, contains several questions within it that bring up separate facts within a single question. It is objectionable because any simple answer to the question will be unclear. The question should be stricken and any testimony in response to the question should also be stricken.

WHEREFORE, the Staff respectfully asks that the Commission exclude the objectionable evidence listed above.

Respectfully submitted,

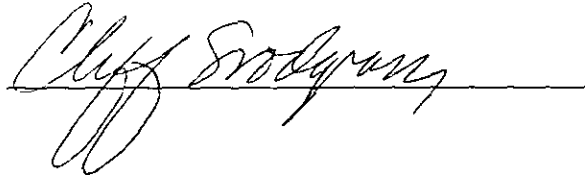
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**Certificate of Service**

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 17th day of September 1999.

A handwritten signature in cursive script, reading "Cliff Sroogman", is written over a horizontal line.

**SERVICE LIST FOR  
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September 17, 1999**

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