

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

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

**OBJECTION TO AND/OR MOTION TO QUASH
USW LOCAL 11-6'S REQUEST FOR ISSUANCE OF
ADDITIONAL SUBPOENAS OR, IN THE ALTERNATIVE,
REQUEST FOR SUBPOENAS TO APPEAR AT DEPOSITION**

COMES NOW Laclede Gas Company ("Laclede" or "Company") and in support of its objection to and/or Motion to Quash USW Local 11-6's Request for Issuance of Additional Subpoenas or, in the Alternative, Request for Subpoenas to Appear at Deposition, states as follows:

1. On or about January 17, 2007, USW Local 11-6 ("Local 11-6" or "Union") filed a request asking that the Commission issue subpoenas requiring two persons to appear at the evidentiary hearing which is scheduled to resume in this case on February 14, 2007. According to the Union, the subpoenas are necessary because these two people have refused to voluntarily appear at the hearing in this matter and their testimony may be necessary because the Union "anticipates that the [Union's] witnesses credibility may be wrongfully impugned at the hearing in a manner that can only be rebutted by testimony from the third parties."

2. For many of the same reasons set forth in Staff's Response to the Union's request, Laclede does not believe that the Union should be permitted to once again circumvent the procedural requirements that have been established in this case for the pre-filing of testimony. As this Commission has consistently recognized, one of the

primary purposes of requiring that testimony be pre-filed is to avoid unfair surprise and give all parties an opportunity to reasonably contest the claims being made by other parties. Obviously, having witnesses provide their testimony for the first time on the day of the evidentiary hearing frustrates this purpose.

3. The fact that this normal process is being circumvented based on anticipated, rather than actual, concerns over what might be said about the credibility of Union witnesses in testimony that has not yet been filed, makes such a request even more objectionable. This is particularly true given the Union's complete failure to explain what specific claims or evidence it anticipates will be offered by Laclede and how either of these persons would be in a position to rebut such claims or evidence.

4. Should the Commission nevertheless be inclined to grant the Union's request, Laclede hereby requests that it also issue the attached subpoenas to the same two persons requiring them to appear at a deposition prior to the evidentiary hearing in this case. At a minimum, the granting of such a request would enable Laclede to obtain at least a basic understanding of what the nature of these witnesses' testimony might be and respond accordingly. Laclede further requests that it be permitted to present supplemental rebuttal testimony at the evidentiary hearing in the event such witnesses are compelled to attend and testify.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission deny or quash the USW Local 11-6's Request for Issuance of Additional Subpoenas or, in the Alternative, grant Laclede's request for issuance of the Subpoenas to appear at deposition attached hereto.

Respectfully Submitted,

/s/ Michael C. Pendergast

Michael C. Pendergast, #31763
Vice President & Associate General Counsel
Rick Zucker, #49211
Assistant General Counsel-Regulatory

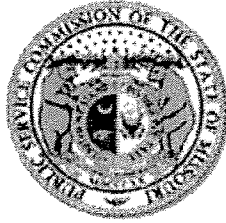
Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101
Telephone: (314) 342-0532
Facsimile: (314) 421-1979
E-mail: mpendergast@lacledegas.com
rzucker@lacledegas.com

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the Complainant, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of Public Counsel on this 24th day of January, 2007 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker

SUBPOENA FOR WITNESS



THE STATE OF MISSOURI. To Mike Tracey, Maint. Supervisor for W.A.C. Industries

8520 Mackenzie Rd., St. Louis, MO 63123-3433 ,

in a matter pending

You are hereby commanded to be and appear personally before The Public Service Commission of the State of

Missouri ~~or any Commissioner thereof~~ on the 6th day of February, 2007 at

9:00 a.m. o'clock of that day, at 720 Olive Street, Suite 824, St. Louis, MO 63101

City deposition
in the ~~County~~ of St. Louis, in the State of Missouri, to testify at a ~~hearing~~ in the matter of

USW Local 11-6 and Laclede Gas Company, GC-2006-0390

~~on behalf of~~ _____, and hereof fail not at your peril. And the person or officer

serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Given under my hand, this _____ day of _____,

_____,
[Name] [Title]

RETURN

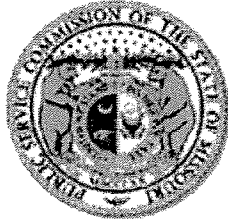
I HEREBY CERTIFY that I have served the within writ by reading the same in the presence and hearing of the

within named _____ on the _____ day of _____, _____, in

_____ County, in the State of Missouri.

_____,
[Name] [Title]

SUBPOENA FOR WITNESS



THE STATE OF MISSOURI. To Sheila Thomasson

1544 Salerno Drive, Pagedale, MO 63133

You are hereby commanded to be and appear personally ^{in a matter pending} before The Public Service Commission of the State of Missouri ~~or any Commissioner thereof~~ on the 6th day of February, 2007 at

2:00 p.m. o'clock of that day, at 720 Olive Street, Suite 824, St. Louis, MO 63101
in the ^{City} ~~County~~ of St. Louis, in the State of Missouri, to testify at a ^{deposition} ~~hearing~~ in the matter of

USW Local 11-6 and Laclede Gas Company, GC-2006-0390

on behalf of _____, and hereof fail not at your peril. And the person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Given under my hand, this _____ day of _____,

_____, [Name] [Title]

RETURN

I HEREBY CERTIFY that I have served the within writ by reading the same in the presence and hearing of the within named _____ on the _____ day of _____, _____, in _____ County, in the State of Missouri.

_____, [Name] [Title]