

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
December 23, 1999**

CASE NO: GR-99-315

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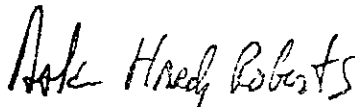
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

Lawrence O. Thomas

Director, Financial Analysis
Mississippi River Transmission Corp.
525 Milam Street
Shreveport, LA 71101

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 23rd
day of December, 1999.

| | | |
|---|---|--------------------------|
| In the Matter of Laclede Gas Company's Tariff |) | Case No. GR-99-315 |
| to Revise Natural Gas Rate Schedules. |) | Tariff Nos. 200000560, |
| |) | 200000565, and 200000580 |

ORDER APPROVING TARIFF SHEETS FILED
IN COMPLIANCE WITH COMMISSION'S ORDER

On December 14, 1999, the Commission issued a Report and Order that rejected the proposed tariff sheets, submitted on January 26, 1999, and assigned Tariff No. 9900539¹, approved the First Amended Partial Stipulation and Agreement, and required Laclede Gas Company (Laclede) to file new proposed tariff sheets reflecting an increase in revenue requirement of \$11,240,000 along with other changes consistent with the findings of the Report and Order. Laclede filed new proposed tariff sheets (Tariff No. 2000000560) intended to comply with the Commission's order on December 16, 1999. Laclede's tariff sheets had a proposed effective date of January 16, 2000; however, Laclede also filed a motion for expedited treatment requesting that the Commission make Laclede's tariff sheets effective on December 24, 1999². In addition, Laclede filed a request for

¹ The Report and Order incorrectly cited the tariff number but was corrected by Notice of Correction issued December 16, 1999.

² Laclede argues that the Commission not only *should* take action on an expedited basis, but that it *must* take action before December 26, 1999. The Commission does not agree with Laclede's interpretation of Section 393.150, RSMo 1994.

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expedited clarification of the Report and Order. On December 17, 1999, the Commission ordered that responses to Laclede's request for clarification, motion for expedited treatment, and to Laclede's tariff be filed no later than December 21, 1999.

Laclede filed additional tariff sheets (Tariff No. 200000565) on December 17, 1999, along with a cover letter which stated that those tariff sheets were being filed only to comply with the technical requirements of the Report and Order. Laclede indicated that it did not want Tariff No. 200000565 to be approved for reasons it had stated in its request for clarification. On December 20, 1999, Laclede filed substitute tariff sheets to Tariff No. 200000560 in order to correct technical errors.

Responses to the request for clarification were received from the Staff of the Missouri Public Service Commission (Staff) and the Office of the Public Counsel (Public Counsel). Staff and Public Counsel both stated that they concurred that clarification was necessary. The Commission issued an Order of Clarification on December 21, 1999. The Order of Clarification deleted ordered paragraph 15 of the Report and Order and clarified that certain tariff language was not required.

On December 22, 1999, Laclede filed tariff sheets, assigned Tariff No. 200000580, to replace the tariff sheets filed on December 16, 17, and 20, 1999. Laclede indicated in its cover letter that it was withdrawing Tariff Nos. 200000560 and 200000565.

Tariff numbers are assigned by the Commission for record keeping purposes. The use of four different tariff numbers in this case has caused some confusion. The original tariff, Tariff No. 9900539, caused this case

to be opened. That tariff was rejected by the Commission's Report and Order. The compliance tariff filed by Laclede on December 14, 1999, was therefore, correctly assigned a new tariff number. The December 17, 1999, tariff sheets were also assigned a separate tariff number, because Laclede filed those only to comply with the technical language of the Report and Order before the Order of Clarification, but did not intend for those tariff sheets to become effective. The tariff sheets filed after the Commission clarified its order should have been treated as substitute sheets and may have caused less confusion if they not been assigned new tariff numbers. Regardless of the tariff numbers assigned for record keeping purposes, the tariff sheets as filed on December 22, 1999, assigned Tariff No. 200000580 remain the tariff sheets under consideration by the Commission and will be handled in an expedited manner.

On December 22, 1999, Staff filed a recommendation. Staff states that it has reviewed Tariff No. 200000580 and that it complies with the Report & Order and the Order of Clarification. The Staff has no objection to the Commission allowing the tariff sheets to become effective for service on or after December 24, 1999.

The Commission has reviewed Laclede's tariff filing and Staff's recommendation. In addition, based upon Laclede's motion for expedited treatment, the Commission determines that good cause exists to issue this Order Approving Tariff in Compliance with the Commission's Report and Order in an expedited manner. Based on these filings, the Commission finds that the tariff sheets should be approved for natural gas service as ordered below.

IT IS THEREFORE ORDERED:

1. That Tariff No. 200000565 submitted on December 17, 1999, and Tariff No. 200000560 submitted on December 16, 1999, with substitute sheets filed on December 21, 1999, are withdrawn.

2. That Tariff No. 200000580 as submitted on December 22, 1999, is hereby approved for natural gas service to be rendered on or after December 27, 1999:

P.S.C. MO. No. 5 Consolidated

Third Revised SHEET No. 1-a Cancelling Second Revised SHEET No. 1-a
Twelfth Revised SHEET No. 2 Cancelling Eleventh Revised SHEET No. 2
Eighth Revised SHEET No. 3 Cancelling Seventh Revised SHEET No. 3
Eleventh Revised SHEET No. 4 Cancelling Tenth Revised SHEET No. 4
Original SHEET No. 4-a Cancelling All Previous Schedules
Twelfth Revised SHEET No. 5 Cancelling Eleventh Revised SHEET No. 5
Eleventh Revised SHEET No. 7 Cancelling Tenth Revised SHEET No. 7
Thirteenth Revised SHEET No. 8 Cancelling Twelfth Revised SHEET No. 8
Eleventh Revised SHEET No. 9 Cancelling Tenth Revised SHEET No. 9
Fifth Revised SHEET No. 11 Cancelling Fourth Revised SHEET No. 11
Sixth Revised SHEET No. 15 Cancelling Fifth Revised SHEET No. 15
Ninth Revised SHEET No. 21 Cancelling Eighth Revised SHEET No. 21
First Revised SHEET No. 28-d Cancelling Original Revised SHEET No. 28-d
One Hundred and Seventy-Ninth Revised SHEET No. 29 Cancelling
One Hundred and Seventy-Eighth Revised SHEET No. 29
Fourth Revised SHEET No. 30 Cancelling Third Revised SHEET No. 30
Second Revised SHEET No. 32 Cancelling First Revised SHEET No. 32
Seventh Revised SHEET No. 34 Cancelling Sixth Revised SHEET No. 34
Sixth Revised SHEET No. 35 Cancelling Fifth Revised SHEET No. 35
First Revised SHEET No. 37 Cancelling Original Revised SHEET No. 37
First Revised SHEET No. 38 Cancelling Original Revised SHEET No. 38
First Revised SHEET No. 39 Cancelling Original Revised SHEET No. 39
Fourth Revised SHEET No. 40 Cancelling Third Revised SHEET No. 40

3. That this order shall become effective on December 27, 1999.
4. That this case may close on December 28, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray, and Schemenauer, CC., concur.

Dippell, Senior Regulatory Law Judge

ALL/Sec'y: Dipwell / Pope
12-22 GR-99-315
Date Circulated CASE NO.

12-23
Lumpke, Chair
CM
Crumpton, Commissioner
Murray, Commissioner
SD
Schemenauer, Commissioner
MDP
Drainer, Vice-Chair

12-23
Agenda Date

Action taken: 5-0 AA

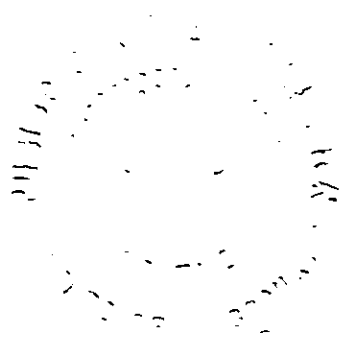
Must Vote Not Later Than _____

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 23rd day of December 1999.



Dale Hardy Roberts
Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge