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

In the Matter of Laclede Gas Company's)Case No. GR-2010-0171Tariff to Revise Natural Gas Rate Schedules)

## **NOTICE OF RESERVATION OF RIGHTS**

**COMES NOW** Laclede Gas Company (hereinafter "Laclede" or "Company"), and the Staff of the Missouri Public Service Commission and for their notice of reservation of rights, state the following:

1. On July 28, 2010, the Parties to this case filed a Motion to Suspend Procedural Schedule, noting that an agreement in principle had been reached that, together with the Partial Stipulation and Agreement filed on July 23, 2010, would resolve all issues in this case.

2. On July 29, 2010, the Commission issued its Order Suspending the Procedural Schedule and Hearing, Order Directing Filing and Notice of On-the-Record Proceeding, in which it suspended the procedural schedule and hearing, directed the parties to file the Stipulation and Agreement reflecting their agreement in principle by August 3, 2010, and scheduled an on-the-record presentation to consider the Stipulation on August 4, 2010.

3. At the time the procedural schedule was suspended, there were still a few discovery issues outstanding in this case relating to matters upon which the parties have reached agreement. Such discovery issues have been suspended as between the parties pursuant to and consistent with the terms of their agreements, and will ultimately become permanently moot, for purposes of this case, if and when such agreements are approved.

4. Accordingly, the Company and Staff intend to spend the next several days completing work on the Second Stipulation and Agreement and preparing for the on-the-

1

record presentation. Like all other issues resolved by the Stipulation and Agreements that have been filed or will be filed in this case, however, the Company and Staff reserve their respective rights to address discovery matters that apply to any issues in this case if this case or any issue is not resolved by Commission approval of such Stipulations and Agreements.

5. Staff does not waive its rights to pursue discovery of any issue in any subsequent case.

WHEREFORE, for the foregoing reasons, the Company and Staff respectfully request that the Commission take note of this Notice of Reservation of Rights.

Respectfully submitted,

## /s/ Michael C. Pendergast

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

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

## **CERTIFICATE OF SERVICE**

Gerry Lynch hereby certifies that the foregoing pleading has been duly served upon the parties to this case by email or United States mail, postage prepaid, on this 29<sup>th</sup> day of July, 2010.

/s/ Rick Zucker Rick Zucker