

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

In the Matter of Laclede Gas Company's)
Annual November PGA/ACA Filing) **Case No. GR-2011-_____**

LACLEDE'S NOTICE OF INTENDED CASE FILING

COMES NOW Laclede Gas Company ("Laclede") and, pursuant to Commission Rule 4 CSR 240-4.020, files this Notice of Intended Case Filing (this "Notice"), respectfully stating as follows:

1. Commission Rule 4 CSR 240-4.020(2) became effective July 30, 2010,

less than one month ago. The rule provides, in part, as follows:

Any regulated entity that intends to file a case likely to be a contested case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case. Such notice shall detail the type of case and issues likely to be before the commission.

2. Pursuant to its approved tariffs, in late October of each year, Laclede makes a PGA tariff filing, to be effective in November, which includes an ACA factor intended to reconcile over or under-recoveries experienced since the last ACA filing. Following this filing, the Staff will conduct an audit of the reconciliation and issue a recommendation addressing, among other things, Laclede's ACA balances.

3. At this time, it is unclear whether or not the late-October PGA/ACA filing will become a contested case. In making the filing, Laclede does not intend to create a contested case. To the contrary, Laclede believes that its gas supply decisions have been prudent and in compliance with Commission rules and regulations. However, whether the October filing ultimately becomes a contested case is largely dependent on Staff's recommendation, which will likely be issued late in 2011, more than a year from now. If

it does become a contested case, the issues involved will likely relate to the prudence of Laclede's gas supply decisions, and its compliance with Commission rules.

4. Because of (i) the uncertainty regarding whether the PGA/ACA filing will become a contested case; (ii) the amount of time that will elapse before that uncertainty is eliminated; and (iii) the routine and predictable nature of both the PGA/ACA filing and the subsequent Staff audit and recommendation, it does not appear that Laclede's annual PGA/ACA filing is the type of case intended to be covered by Commission Rule 4.020(2). However, due to the fact that the rule is new and untested, and due to the strict penalty imposed for not filing a required notice, Laclede is filing this Notice out of an abundance of caution.

WHEREFORE, Laclede respectfully requests that the Commission and its Secretary accept this Notice regarding Laclede's annual PGA/ACA filing.

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

I hereby certify that the foregoing pleading has been duly served upon the General Counsel of the Staff and on the Office of the Public Counsel by hand delivery, email, fax, or United States mail, postage prepaid, on this 27th day of August, 2010.

/s/ Gerry Lynch

Gerry Lynch