

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

In the Matter of the Verified Application and	)	
Petition of Laclede Gas Company to Change its	)	Case No. GO-2008-0351
Infrastructure System Replacement Surcharge	)	

**LACLEDE GAS COMPANY’S REPLY TO  
PUBLIC COUNSEL’S JUNE 18 RESPONSE**

**COMES NOW** Laclede Gas Company (“Laclede” or "Company") and files this response to Public Counsel’s Request for Additional Time. In support thereof, Laclede states as follows:

1. On April 25, 2008, Laclede filed its Verified Application and Petition and a Tariff Sheet to increase its Infrastructure System Replacement Surcharge (“ISRS”), pursuant to Sections 393.1009, 393.1012 and 393.1015 of the Revised Statutes of Missouri and Commission Rule 4 CSR 240-3.265 (the “ISRS Rule”).
2. On June 12, 2008, the Staff of the Missouri Public Service Commission (“Staff”), filed its Memorandum and Recommendation in which it recommended that the Commission approve Laclede’s ISRS filing, in the amount originally proposed by the Company in its filing (“Staff Recommendation”).
3. On June 13, 2008, Laclede filed its Motion for Expedited Treatment in which it requested that the Commission approve its ISRS Application and Tariff Sheet as expeditiously as possible, but no later than June 19, 2008.
4. On June 18, 2008, Public Counsel filed its Response in which it indicated that it would not be able to submit its response to Staff’s filing until June 23, 2008. It

therefore requested that the Commission deny Laclede's Motion for expedited treatment to provide sufficient time to make its filing.

5. Laclede is reluctantly willing to agree to Public Counsel's request that it be given until June 23, 2008, to submit its response to Staff's Recommendation and accordingly Laclede modifies its Motion for Expedited Treatment to request that the Commission place this matter on its agenda and provide for an effective date of Laclede's ISRS Tariff as soon as reasonably possible thereafter, but not later than June 24.

6. That said, Laclede does disagree with Public Counsel's assertion that Laclede's Motion for Expedited Treatment was not well founded. Laclede's action in this case of filing a Motion for Expedited Treatment after the Staff had submitted its Recommendation was completely consistent with the procedure that the Company has followed in previous ISRS cases – without any objection by Public Counsel. Laclede also continues to believe that expedited treatment is more than warranted by paragraph 22 of the Unanimous Stipulation and Agreement filed on July 9, 2007, and approved by the Commission on July 19, 2007 in Case No. GR-2007-0208 (the "Stipulation"). As Laclede indicated in its previous Motion, that provision specifies that the parties will work towards implementation of the Company's ISRS filings as soon as reasonably possible – a commitment that Laclede gave good and valuable consideration to obtain in the form of its agreement to reduce each of its requested ISRS filings by one-half of the value of a tax adjustment that Staff had proposed in earlier cases. In view of this commitment, and the fact that Laclede's ISRS filing had been calculated in the same manner as its five previous ISRS filings, had been endorsed without change by the

Commission Staff, and had been on file for more than 50 days, Laclede believed its Motion for Expedited Treatment was well founded.

7. Nevertheless, Laclede will agree to accommodating Public Counsel's request by modifying its Motion for Expedited Treatment as described above.

**WHEREFORE**, for the foregoing reasons, Laclede Gas Company respectfully requests that the Commission require Public Counsel to submit its response to Staff's recommendation by June 23, 2008, and that the Commission approve Laclede's ISRS application and tariff effective as soon thereafter as reasonably possible, but no later than June 24, 2008.

Respectfully submitted,

/s/ Michael C. Pendergast

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ATTORNEYS FOR  
LACLEDE GAS COMPANY

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties of record this 19th day of June, 2008 by hand-delivery, fax, electronic mail or by placing a copy of such Application, postage prepaid, in the United States mail.

/s/ Gerry Lynch

Gerry Lynch