

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

In the Matter of the Application of Laclede Gas            )  
Company to Change its Infrastructure System            )    **Case No. GO-2016-0196**  
Replacement Surcharge in its Laclede Gas Service    )  
Territory    )

In The Matter of the Application of Laclede Gas        )  
Company to Change its Infrastructure System            )    **Case No. GO-2016-0197**  
Replacement Surcharge in its Missouri Gas Energy    )  
Service Territory    )

**LACLEDE GAS COMPANY’S OPPOSITION TO MOTION FOR EVIDENTIARY  
HEARING AND MOTION FOR RECONSIDERATION OF PROCEDURAL ORDER**

COME NOW Laclede Gas Company (“Laclede”), on behalf of its two Missouri operating units, Laclede Gas (“Laclede Gas”) and Missouri Gas Energy (“MGE”), and files this motion stating as follows:

1. Laclede opposes OPC’s request for an evidentiary hearing and requests that the Commission reconsider its procedural order issued today on the grounds that OPC’s motion has been filed too late in the process and should be denied.

2. Staff’s deadline to file its recommendations including any recommended changes to the ISRS filing was April 1. OPC has no role in the ISRS statute, other than to be served with the original filing. If Staff is held to 60 days, then OPC should certainly not be given more time. At April 1, Staff filed its recommendation and OPC filed no alternative recommendation or objection to the ISRS applications.

3. Obviously, OPC knew this issue existed as early as the day the Applications were filed. In fact, OPC has filed pleadings in this case in which it asserted that this would indeed be an issue in this case. Given the time parameters of ISRS filings, OPC should not be permitted to

raise this issue 10 days after Staff's recommendation deadline and be given the opportunity to interject *new* arguments and evidence 77 days after the Applications were filed.

4. Under the procedural schedule issued today, the Company will have less than 3 business days to review whatever new arguments and evidence is offered by OPC in support of its position, issue, receive and review any discovery in connection with those new arguments and evidence, and prepare its rebuttal testimony. Such a highly compressed schedule, which places the Company and Staff at a distinct disadvantage, would be suspect under the best of circumstances. But it is wholly unreasonable given the fact that it has been occasioned solely because of OPC's failure to present its new arguments and evidence on a timely basis.

5. In summary, it is unfair and unlawful for OPC to raise new issues or arguments that could have been raised at the time the Staff's recommendation was due. This type of gamesmanship should not be countenanced. Laclede asks the Commission to withdraw its procedural schedule or prohibit OPC from interjecting new evidence and arguments that could and should have been raised by April 1 at the latest.

Respectfully Submitted,

**LACLEDE GAS COMPANY**

**/s/ Rick Zucker**  
Rick Zucker #49210  
Associate General Counsel  
720 Olive Street  
St. Louis, Missouri 63101  
(314) 342-0533 (Phone)  
(314) 421-1979 (FAX)  
rick.zucker@[thelacledegroupp.com](mailto:rick.zucker@thelacledegroupp.com)

**Certificate of Service**

I hereby certify that copies of the above and foregoing document were sent by electronic mail on this 12th day of April, 2016 to counsel of record.

**/s/ Rick Zucker**