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February 3, 2003

FILED⁴

FEB 03 2003

Missouri Public
Service Commission

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Public Service Commission
Governor's Office Building
Madison & E. Capitol
Jefferson City, MO 65101

RE: *In the Matter of the Tariff Filing of Laclede Gas Company to Implement a Gas Supply Incentive Plan Called Catch-Up-Keep-Up*, Case no. GT-2003-0117, Tariff No. JG-2003-396

Dear Judge Roberts:

Enclosed for filing in the above-referenced case are the original and 8 copies of the response to Laclede Gas's motion for rehearing or reconsideration filed on behalf of the Missouri Department of Natural Resources Energy Center. Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

Ronald Molteni
Assistant Attorney General

Enclosures

cc: Judge Ruth
All Parties on the Service List

FILED⁴

Case No. GT-2003-0117

FEB 03 2003

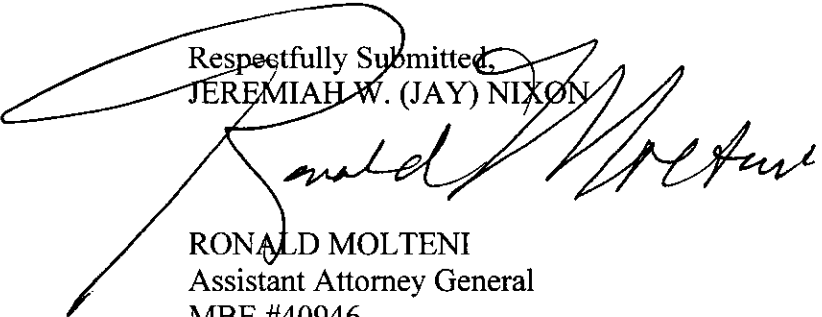
Missouri Public
Service Commission

Because the tariff pertaining to CatchUpKeepUp is the one on which the commission must act, MDNR regrettably cannot support reconsideration or rehearing.

What needs to take place is Laclede needs to file a new tariff which incorporates all of the changes it made to the program at hearing. Having a collaborative with the parties prior to filing that tariff would help increase the chances that parties would be able to workout their differences on the tariff language and make necessary compromises so that the Commission could lawfully act on a filed tariff that had the best chance of surviving scrutiny. Had Laclede filed the new tariff and the hearings resumed on the new filing, perhaps the process of lawfully approving a workable low income assistance program would be closer.

WHEREFORE, for the foregoing reasons, MDNR regretfully cannot support Laclede's motion, but pledges cooperation to work with the parties should Laclede desire to actually file a tariff that incorporates the many changes proposed to CatchUpKeepUp.

Respectfully Submitted,
JEREMIAH W. (JAY) NIXON



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CERTIFICATE OF SERVICE

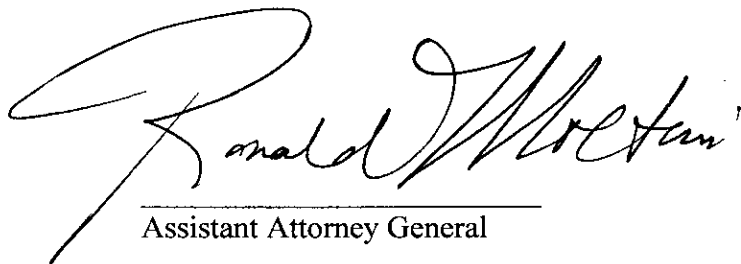
I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 3rd day of February, 2003, to:

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