

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 29, 2000**

CASE NO: GO-2000-395

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 29th
day of February, 2000.

In the Matter of Laclede Gas Company's Gas) **Case No. GO-2000-395**
Supply Incentive Plan (GSIP II).) Tariff No. 200000686

ORDER SUSPENDING TARIFF AND
SETTING PREHEARING CONFERENCE

On February 1, 2000, Laclede Gas Company (Laclede) filed its P.S.C. Mo. No. 5 Consolidated, Fourth Revised Sheet No. 28-a, with a proposed effective date of March 3, 2000. The purpose of the revision is to extend the term of GSIP II from the current expiration date of September 30, 2000, to September 30, 2002, and to modify the circumstances under which the GSIP II may be modified or terminated. The Staff of the Missouri Public Service Commission (Staff) filed a memorandum and recommendation on February 15, 2000, recommending that the proposed revised tariff sheet be suspended at least until after the conclusion of the current legislative session and that a prehearing conference be scheduled. Staff indicates that it is concerned about the propriety of extending the GSIP II until it has had an opportunity to sufficiently evaluate the progress of the program.

On February 16, 2000, the Commission issued a Notice Shortening Time in Which to Respond, directing that any response to Staff's recommendation must be filed on or before 3:00 p.m. on February 24, 2000.

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Laclede filed a response to Staff's memorandum and recommendation on February 24, 2000. Laclede expresses concern that Staff's goal is simply to forestall any extension of the GSIP II, regardless to any real need for such a delay. Laclede argues that is unreasonable to require that extension of the GSIP II be conditioned on the Staff's completion of an extensive audit, the purpose of which is to determine whether to modify, extend or terminate the GSIP II. According to Laclede, nearly every conceivable issue relating to the structure and anticipated impact of the GSIP II was exhaustively litigated and decided by the Commission in Case No. GT-99-303. Laclede requests that the Commission not suspend the proposed tariff, and instead allow it to become effective with its proposed effective date of March 3, 2000.

The Commission has reviewed the tariff sheets, Staff's motion to suspend, and Laclede's response, and finds that sufficient questions have been raised regarding the tariff such that the tariff should be suspended for further consideration. Therefore, the tariff will be suspended for a period of 120 days. This relatively brief suspension will allow the Commission to schedule a prehearing conference where the parties should be prepared to discuss their positions on this matter and their expectations regarding the course this case should take.

IT IS THEREFORE ORDERED:

1. That the Motion to Suspend Tariff, filed by the Staff of the Missouri Public service Commission on February 15, 2000, is granted.

2. That the proposed tariff sheet filed by Laclede Gas Company on February 1, 2000, is suspended for a period of 120 days beyond March 3, 2000, to July 1, 2000, unless otherwise ordered by the Commission.

3. That a prehearing conference shall be held on March 10, 2000, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing conference at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

4. That this order shall become effective on March 9, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
and Schemenauer, CC., concur.
Murray, C., dissents.

Ruth, Regulatory Law Judge

ALJ/Sec'y: Ruth Pope
2-24
Date Circulated GO-2000-395 CASE NO.
Lumpke, OK
Crumpton, Commissioner OK
Murray, Commissioner OK
Schemenauer, Commissioner OK
Drainer, Vice-Chair OK
2-29
Agenda Date
Action taken: 4-1 AS
Must Vote Not Later Than

STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 29th day of FEBRUARY 2000.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

