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)
) Case No. GO-99-533
)

AND LATE FILING OF ANNUAL REPORT

Laclede states in the request that the proposed filing was returned to it with the indication from the Missouri Public Service Commission (Commission) that Laclede was required to file a pleading requesting confidential treatment. Laclede states that ". . . [t]his is apparently a new requirement being imposed for the first time this year based on a memorandum from the Commission's Chief Law Judge and Secretary

dated April 13, 1999." However, this is not entirely accurate. The filing requirement arose with the promulgation of a rule in the Code of State Regulations which became effective on October 30, 1996. See 4 CSR 240-10.080.

Laclede states in the request that it has discussed its request for confidential treatment with the Staff of the Commission (Staff). Pursuant to the Staff's suggestion, Laclede is adding to the public version of the annual report the salaries of five of its officers because Laclede has already disclosed those salaries in its proxy statement for its annual meeting.

Laclede requests confidential treatment of the salary information for the remaining officers (proposed confidential information). Laclede argues that it ". . . believes there is good cause for treating this information as confidential because it is private, employee-specific information which is not publicly available elsewhere." Laclede redacted the proposed confidential information from the public annual report and filed a separate, unredacted copy in a sealed envelope marked "Highly Confidential." Laclede also requested an extension of the filing date for its 1998 annual report to permit it to be filed on April 26, 1999. Laclede filed its annual report on that date.

Upon review of Laclede's motion, the Commission finds that there is a need to protect confidential information and that Laclede's request is a pleading which substantially complies with 4 CSR 240-10.080. Therefore, an order granting confidential treatment for the proposed confidential information should be granted for the good cause that the

information is private, employee-specific information which Laclede has not made publicly available elsewhere. The Commission also finds that there is good cause to extend the filing date for Laclede since Laclede originally made a good faith effort to file its report on time. Therefore, an order allowing Laclede to file out of time should also be granted.

IT IS THEREFORE ORDERED:

1. That the request for confidential treatment of the salary information for the remaining officers of Laclede Gas Company listed in the annual report is granted and that information shall be filed under seal and shall be maintained under seal.

2. That the request to file the annual report out of time by Laclede Gas Company shall be granted.

3. That this order shall become effective on May 18, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory
Law Judge, by delegation of
authority pursuant to 4 CSR
240-2.120(1), (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 18th day of May, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION