

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

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2004-2005) **Case No. GR-2005-0203**

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2005-2006) **Case No. GR-2006-0288**

**LACLEDE GAS COMPANY'S REPLY
TO PUBLIC COUNSEL'S RESPONSE**

COMES NOW Laclede Gas Company ("Laclede" or the "Company") and for its Reply to Public Counsel's Response, states as follows:

1. On May 22, 2009, the Office of the Public Counsel ("OPC") filed a pleading purporting to claim that Laclede had not met the technical requirements for obtaining expedited treatment of its request that the Commission dispose of OPC's and Staff's Motions for Reconsideration and/or Clarification at its next agenda meeting.

2. For the reasons stated in both its initial and amended Motion for Expedited Treatment, Laclede has satisfied whatever technical requirements are necessary to obtain "expedited" action. There should be no misunderstanding, however, about what is really transpiring here. The only reason Laclede filed its Motion for Expedited Treatment in the first place is because such a motion is the only procedural vehicle available to request that the Commission take action by a date certain. In reality, there is nothing the least bit expedited about the action that Laclede has requested. If the Commission had disposed of Staff's and OPC's Motions in the ordinary course of its regulatory business, those Motions would have been placed on the Commission's agenda for decision two weeks ago or, failing that, by last week at the latest, and no request for expedited treatment would have been necessary.

3. Instead, such action was delayed based on the asserted need to await the filing of a pleading that is not contemplated by the Commission's rules; that no party asked to make; and that served no purpose other than to reiterate arguments already made on numerous occasions and rejected by the Commission's April 22, 2009 order – reasons that seemed inexplicable to Laclede.

4. With its response, OPC has at least brought some clarity to this seemingly inexplicable situation. Specifically, OPC has made it clear that its objective is to change the outcome of the Commission's April 22, 2009 decision based not on any arguments regarding how well the Commission discharged its duty to consider the applicable law and relevant facts, but based solely on its hope that a change in the commissioners will effect a change in the result; all of which is to be achieved by artificially delaying the Commission's consideration of the parties' motions for reconsideration. Laclede respectfully submits that this kind of cynical manipulation of the administrative process has no legitimate place in a regulatory system that purports to render decisions based solely on the record evidence and a fair and impartial assessment of the law. OPC's arguments should accordingly be rejected.

WHEREFORE, Laclede respectfully requests that the Commission place these matters on its May 27, 2009 Agenda for decision and that the Commission thereupon deny the Motions for Reconsiderations and/or Clarification submitted by Staff and OPC for the reasons stated herein.

Respectfully submitted,

/s/ Michael C. Pendergast

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been duly served upon the General Counsel of the Staff and the Office of the Public Counsel by email or United States mail, postage prepaid, on this 26th day of May, 2009.

/s/ Gerry Lynch

Gerry Lynch