

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

In the matter of	)	
	)	
USW Local 11-6,	)	GC-2006-0390
	)	
and	)	
	)	
Laclede Gas Company	)	

**REQUEST FOR ISSUANCE OF ADDITIONAL SUBPOENAS**

Comes now USW Local 11-6 (Local 11-6) and requests the Commission to issue additional hearing subpoenas in this matter, for the reasons set forth below:

1. Local 11-6 was granted leave to file additional testimony on January 8, 2007 and did so. Local 11-6's new witnesses are Laclede Gas Company ("Laclede") employees who responded to recent incidents caused by Manpower personnel utilized by CellNet.

2. Local 11-6 anticipates that the witnesses' credibility may be wrongfully impugned at the hearing in a manner that can only be rebutted by testimony from third parties who have refused to voluntarily appear in this matter. Local 11-6 bases this belief on statements made by Laclede in its opening statement on December 11, 2006, as well as in its written opposition to Local 11-6's motion for leave to file additional testimony.

3. Specifically, in its opening, Laclede's counsel stated: "[I]t is extremely difficult to think that a -- an AMR installer who does not have a drill somehow managed to drill through a meter and then with the gas coming out right into his face drilled through it again. That is . . . simply not likely." Tr. 168. And, "it's questionable . . . as to whether [the AMR installer] caused this problem [the meter that was drilled through in November 2006]. . . . [T]he other possibilities . . . is that it's suspicious that this has come up at this time, this late in the process right before the hearing. . . ." Tr. 169.

4. In its opposition to Local 11-6's motion, Laclede stated: "As Laclede indicated during the evidentiary hearing in this case, the suspicious circumstances involving the alleged drill-through of a meter on November 9, 2006, are under active investigation. So too is the most recent situation alluded to by the Union in its Motion." Response in Opposition to Motion of USW Local 11-6 to File Testimony Out of Time at 1.

5. Local 11-6 requests that it be issued the attached subpoenas solely for the limited purpose of putting on involuntary third-party testimony to rebut the anticipated wrongful impugning of credibility, or otherwise as directed by the Commission. Such a use of a subpoena appears to be authorized by 4 CSR §240-2.130(8), which provides, in part, that "A party shall not be precluded from having a reasonable opportunity to address matters not previously disclosed which arise at the hearing."

Wherefore, USW 11-6 respectfully requests the PSC promptly issue the referenced hearing subpoenas, which are attached hereto.

Respectfully submitted,

/s/ Sherrie A. Schroder

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### **Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing was served on January 17, 2007, by United States mail, hand-deliver, email, or facsimile upon:

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/s/ Sherrie A. Schroder \_\_\_\_\_