

LACLEDE GAS COMPANY
720 OLIVE STREET
ST. LOUIS, MISSOURI 63101

AREA CODE 314
342-0532

MICHAEL C. PENDERGAST
ASSETANT VICE PRESIDENT
ASSOCIATE GENERAL COUNSEL

August 14, 2000

FILED³

AUG 15 2000

VIA FEDERAL EXPRESS

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Harry S Truman Building
301 W. High Street
Jefferson City, MO 65101

RE: Case No. GF-2000-843

Dear Mr. Roberts:

On behalf of Laclede Gas Company, I have enclosed for filing the original and eight copies of a Request for Clarification. Please see that this filing is brought to the attention of the appropriate Commission personnel.

Please file-stamp the additional copy of this Request for Clarification and return the same in the pre-addressed, stamped envelope provided.

Thank you for your consideration in this matter.

Sincerely,


Michael C. Pendergast

MCP:kz

cc: Office of the Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

AUG 15 2000

Missouri Public
Service Commission

In the matter of the Application of LACLEDE GAS)
COMPANY for an order authorizing LACLEDE GAS)
COMPANY, to issue and sell First Mortgage Bonds,)
Unsecured Debt and authorized but unissued Common)
Stock of the Company in a total amount not to exceed)
\$350,000,000 together with certain rights to accompany)
the Common Stock and any additional shares of Common)
Stock as may be required by the exercise of such rights; all)
pursuant to a Universal Shelf Registration Statement.)

Case No. GF-2000-843

REQUEST FOR CLARIFICATION

COMES NOW Laclede Gas Company ("Laclede" or "Company"), and pursuant to 4 CSR 240-2.160 requests that the Commission clarify its Order Granting Application in the above-captioned proceeding. In support thereof, Laclede states as follows:

1. On August 10, 2000, the Commission issued its Order Granting Application ("Order") in which it approved the verified application that had been filed by Laclede in the above-captioned case on June 23, 2000.

2. Laclede appreciates the Commission's expeditious processing of its Application. Laclede would note, however, that in contrast to prior financing orders issued by the Commission involving Laclede, the Commission did not make any specific findings in its Order regarding the purposes to which the proceeds of the issuance were to be applied and whether the money procured from such issuance and sale were reasonably required for such purposes as required by Section 393.200.1. See Re: Laclede Gas Company, Case Nos. GF-99-239 and GF-95-293. Laclede is concerned that absent such findings, its underwriters and others involved in the issuance and sale of these securities

may have reservations regarding whether the authorizations granted by the Commission fully comply with the statutory prerequisites for approving such transactions. Under Section 393.200.1 (R.S.Mo. 1994), a utility may only issue and sell stock or debt if it has:

secured from the commission an order authorizing such issue, and the amount thereof, and stating the purposes to which the issue or proceeds thereof are to be applied, and that, in the opinion of the Commission, the money ... to be procured or paid for by the issue of such stock, bonds, notes and other evidence of indebtedness, is or has been reasonably required for the purposes specified in the order, and ... such purposes are not in whole or in part reasonably chargeable to operating expenses or to income. (emphasis supplied).

3. To prevent any uncertainty regarding whether the Commission's Order complies with this statutory language, Laclede requests that the Commission clarify its Order by adding the following language which has routinely appeared in prior Laclede Orders:

Any proceeds from the issuance and sale of the securities or the issuance and sale of additional common shares pursuant to the Rights Agreement shall be used only for the purposes specified in, and authorized by, Section 393.200 R.S.Mo. 1994. The Commission is further of the opinion that the money to be procured by the issuance and sale of such securities is reasonably required for such purposes and that such purposes are not, in whole or in part, reasonably chargeable to operating expenses or income.

4. As previously noted, the clarification language suggested above is consistent with the language adopted by the Commission in previous financing orders. It is also narrowly drafted to comply with the specific findings and statements which Section 393.200.1 indicates should be included in a financing order.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the

Commission issue its order granting the proposed clarification set forth herein.

Respectfully submitted,



Michael C. Pendergast
Assistant Vice President and
Associate General Counsel
Laclede Gas Company
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St. Louis, MO 63101
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(314) 421-1979 Fax

CERTIFICATE OF SERVICE

Michael C. Pendergast, Assistant Vice President and Associate General Counsel for Laclede Gas Company, hereby certifies that the foregoing Request for Clarification has been duly served upon the General Counsel of the Staff of the Public Service Commission, Office of the Public Counsel and all parties of record to this proceeding by placing a copy thereof in the United States mail, postage prepaid, or by hand delivery, on this 14th day of August, 2000.

