

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

Renee Anderson,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2008-0176
)	
Laclede Gas Company,)	
)	
Respondent.)	

**COMPLAINANT'S REQUEST FOR LEAVE TO
FILE RESPONSE OUT OF TIME**

COMES NOW, Complainant, by and through her attorney, and, pursuant to 4 CSR 240-2.050 and requests leave of the Commission to file her Response to Motion for Summary Determination out of time, and in support thereof states the following:

1. Complainant's attorney was served with Respondent's motion for summary determination on March 10, 2008. Pursuant to 4 CSR 240-2.117 Complainant's response to said motion for summary determination was due 30 days from March 10, 2008, the date of which would be April 9, 2008.

2. On or about April 8, 2008, Counsel for Complainant inquired about registering for the Commission's EFIS system and registered the same day.

3. On April 9, 2008, but after business hours, Counsel for Complainant encountered technical difficulties uploading the document and was not able to receive technical assistance until business hours of the next business day, April 10, 2008.

4. A discussion with EFIS technical support indicated that Counsel for Complainant may not have had the proper permissions in order to complete the filing. In addition, after

receiving the proper permissions, Counsel still encountered technical difficulty requiring assistance from EFIS technical support such that it was necessary to email the documents directly to technical support to be filed electronically. But for the technical difficulty encountered, the response would have been filed in a timely manner.

5. This is Counsel's first encounter with the EFIS system.

6. Pursuant to 4 CSR 2.050(3)(B), the Commission does have discretion to allow Complainant's response to be filed out of time due to excusable neglect.

7. Counsel takes full responsibility for the date chosen and the method of filing.

8. Counsel has contacted opposing counsel for the Respondent, who does not object to this request to file the response to summary determination one day out of time; therefore, granting the request would not prejudice Respondent.

9. This request is made with full respect for the Commission's rules practice and procedure and is not made to purposely avoid imposed deadlines or to unduly delay this litigation.

WHEREFORE, for the reasons set forth herein, Counsel for Complainant respectfully requests that the Commission grant said request for leave to file Complainant's response to motion for summary determination one day out of time.

Respectfully submitted,

/MWS/

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CERTIFICATE OF SERVICE

Copy of the foregoing will be served on April 10, 2008, to the Attorney for Respondent, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of the Public Counsel, Missouri Office of the Public by US mail, email, or facsimile.

/MWS/_____