

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

In the Matter of Laclede Gas Company's)	
tariffs designed to permit early)	
implementation of Cold Weather Rule)	Case No. GT-2009-0026
provisions and to permit Laclede to collect)	Tariff number JG-2009-0033
the gas cost portion of its write-off's)	
through the PGA)	

**REQUEST TO SET NOVEMBER 10, 2008 AS THE DATE TO RESPOND TO
STAFF'S MOTION TO REJECT TARIFF AND DISMISS DOCKET
AND TO PUBLIC COUNSEL'S RESPONSE IN SUPPORT THEREOF**

COMES NOW Laclede Gas Company ("Laclede" or "Company") and submits this Request To Set November 10, 2008 as the Date to Respond to Staff's Motion to Reject Tariff and Dismiss Docket and to Public Counsel's Response in Support Thereof, and states as follows:

1. Pursuant to the procedural schedule in this case, Laclede filed direct testimony of two witnesses on September 16, 2008.
2. On October 20, 2008, the Staff filed its Motion to Reject Tariff and Dismiss Docket. The Staff subsequently supplemented its motion on October 22, 2008 by filing Suggestions in Support thereof.
3. On October 24, 2008, Staff and Public Counsel filed rebuttal testimony on behalf of a combined total of five witnesses. The testimonies of Staff and Public Counsel both oppose approval of Laclede's tariff on similar grounds.
4. On October 30, 2008, Public Counsel filed its Response in Support of the Staff's Motion to Reject Tariff and Dismiss Docket. Public Counsel's pleading covers

seven full pages and appears not only to supplement Staff's arguments, but to add at least one new argument not raised by Staff.

5. Surrebuttal Testimony is due on November 20, 2008, and will almost certainly be filed solely by Laclede.

6. Given the two distinct pleadings filed by Staff (on October 20 and 22) and Public Counsel (on October 30), Laclede requests that the Commission set November 10, 2008, 10 days from the filing of Public Counsel's pleading, as the date for Laclede to respond jointly to Staff and Public Counsel. This date is reasonable given the staggering of these pleadings over the past ten days. Further, no party will be harmed by the setting of such date, because Staff and Public Counsel have already filed their testimony in the case.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission set November 10, 2008 as the date by which Laclede shall respond to Staff's Motion to Reject Tariff and Dismiss Docket and to Public Counsel's Response in Support Thereof .

Respectfully submitted,

/s/ Michael C. Pendergast

Michael C. Pendergast, #31763
Vice President & Associate General Counsel
Rick Zucker, #49211
Assistant General Counsel-Regulatory

Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101
Telephone: (314) 342-0532
Facsimile: (314) 421-1979
E-mail: mpendergast@lacledegas.com
rzucker@lacledegas.com

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties of record on this 30th day of October, 2008 by email, facsimile, hand-delivery or regular mail, postage prepaid.

/s/ Gerry Lynch