

In other words, Public Counsel believes that the amended rule would allow a utility to recover \$150 when the customer only owes \$50.

4. The amended rule does not operate to provides such a ludicrous result.

Section 14(F)(4) of the amended rule provides that:

The costs eligible for recovery shall be the *unpaid* charges for new service received by the customer subsequent to the time the customer is retained or reconnected by virtue of this section plus the *unpaid* portion of the difference between the initial payment paid under this section and the initial payment that could have been required from the customer under the previously enacted payment provisions of Section (10) of this rule, as measured at the time of a subsequent disconnection for non-payment or expiration of the customer's payment plan.

As the language of the amended rule clearly indicates, the amended rule only provides for the utility to recover unpaid portions of new service or initial payments, as measured at the time of a subsequent disconnection for non-payment. Therefore, it is impossible for a utility to recover under the amended rule any of these amounts that have been paid by the customer. Since Public Counsel's example shows an unpaid amount of \$50 at the time of a subsequent disconnection for non-payment, it would be impossible for a utility to recover more than \$50 under the clear language of the amended rule.

WHEREFORE, Laclede requests that the Commission deny Public Counsel's Application for Rehearing.

Respectfully Submitted,

LACLEDE GAS COMPANY

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the parties to this case on this 28th day of August, 2006 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker