

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

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2004-2005) **Case No. GR-2005-0203**

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2005-2006) **Case No. GR-2006-0288**

**LACLEDE GAS COMPANY'S RESPONSE TO MOTIONS FOR
RECONSIDERATION AND/OR CLARIFICATION**

COMES NOW Laclede Gas Company ("Laclede" or the "Company") and in support of its Response to Motions for Reconsideration and/or Clarification, respectfully states as follows:

1. On May 1, 2009 and May 4, 2009, respectively, the Staff of the Missouri Public Service Commission ("Staff") and the Office of the Public Counsel ("OPC") filed Motions for Reconsideration of the Commission's April 22, 2009 Order Denying Motion to Compel the production of certain information that the Staff had sought from Laclede, most of which pertained to transactions between Laclede's affiliate, Laclede Energy Resources ("LER") and third parties.

2. Laclede submits that neither Staff nor OPC have asserted anything new in their pleadings that would warrant reconsideration. Indeed, the arguments raised by Staff and OPC have already been considered by the Commission to a degree and with a thoroughness that is virtually unprecedented for a discovery issue. All of the parties have submitted multiple pleadings on the subject. An oral argument has been held at which all parties were permitted to restate and elaborate at length on the legal and factual support for their respective positions. And all parties took the opportunity to submit proposed orders for the Commission's consideration before it rendered its decision. Given this

history, it is nothing short of ludicrous to suggest that there is something that the Commission overlooked or failed to consider in reaching its conclusion.

3. Nor is there any basis for OPC's request that the Commission should clarify its order to discuss in greater detail why it denied Staff's Motion to Compel. As stated above, the Commission had three proposed orders from which to choose at the time it issued its Order two weeks ago, and therefore reconsideration is not necessary. In addition, the Commission stated in its Order that the decision was based on the arguments presented by the parties in their numerous pleadings and during the oral argument, all of which are matters of record. Under these circumstances, no purpose would be served by simply having the Commission repeat those arguments ad nauseam in its Order.

4. In fact, it appears that the Motions for Reconsideration filed by Staff and OPC represent just one more attempt by those parties to convince the Commission that they, and they alone, are exempt from having to follow the very affiliate transactions rules the Commission has promulgated to address the exact kind of transactions at issue in these cases. If the Staff and OPC dislike those rules, then they should follow the proper procedures and attempt to prospectively change them. In the meantime, however, their ongoing efforts to circumvent those rules (while not even bothering to explain what those rules say or how they could possibly be construed as inapplicable to the issue at hand) should not be countenanced by the Commission.

5. Consistent with the Commission's dealings with other motions for reconsideration that the Commission considered to have raised nothing new to consider,¹

¹ See e.g. Case No. GT-2009-0026, Order Denying Application for Rehearing dated April 29, 2009, denying the application for rehearing filed on April 24, 2009.

Laclede requests that the Commission act promptly to deny the motions filed by Staff and OPC.

WHEREFORE, Laclede respectfully requests that the Commission act promptly to deny the Motions for Reconsiderations and/or Clarification submitted by Staff and OPC for the reasons stated herein.

Respectfully submitted,

/s/ Michael C. Pendergast

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

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

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been duly served upon the General Counsel of the Staff and the Office of the Public Counsel by email or United States mail, postage prepaid, on this 8th day of May, 2009.

/s/ Gerry Lynch

Gerry Lynch