

**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
PUBLIC COUNSEL'S MOTION FOR AN ORDER DIRECTING LACLEDE
TO COMPLY WITH THE ORDER GRANTING MOTION TO COMPEL**

COMES NOW Laclede Gas Company (hereinafter "Laclede" or "Company") and submits this Response to Public Counsel's motion for an order directing Laclede to comply with the Commission's Order Granting Motion to Compel, and in support thereof states as follows:

1. This discovery issue revolves around whether and when Staff may have access to the non-affiliate related business information of Laclede Energy Resources, Inc. ("LER"), a Laclede affiliate. By delegation, the Regulatory Law Judge (RLJ) granted Staff's motion to compel Laclede to produce such information.

2. Laclede then filed a timely motion to the Commission to reconsider the decision. Laclede's motion has been responded to by Staff and Public Counsel, and Laclede has replied to their responses. The matter is properly before the full Commission and is ripe for decision.

3. Public Counsel's new motion does not advance the ball but only serves to distract the Commission's focus from resolving the matter entirely by ruling on the merits of the Laclede's motion.

WHEREFORE, for the foregoing reasons, and those stated in its Motion for Reconsideration, Laclede respectfully requests that the Commission reconsider and reverse its October 20 Order Granting Motion to Compel, and in its place issue an Order setting an

evidentiary hearing and deferring its ruling on the motion to compel and on Public Counsel's motion until the completion of that evidentiary hearing. Laclede further renews its request that the Commission stay the effectiveness of the October 20 Order pending its ruling on this Motion.

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

Gerry Lynch hereby certifies 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 December, 2008.

/s/ Gerry Lynch

Gerry Lynch