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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 13th
day of August, 1997.

In the Matter of Laclede Gas Company's Tariff)
Designed to Clarify That Municipalities and Other)
Local Political Subdivisions are Prohibited From) Case No. GT-98-32
Imposing Unique Terms or Conditions of Natural)
Gas Service.)
)

ORDER APPROVING TARIFF

On July 14, 1997 Laclede Gas Company (LGC) filed tariff sheets designed to modify LGC's rules and regulations tariff sheets to clarify that municipal and other local political subdivisions are prohibited from imposing unique terms or conditions on the provision of natural gas service which are different from, or in addition to, those already contained in LGC's tariffs and the rules of this Commission. These tariffs bear an effective date of August 14. Docket No. GT-98-32 was opened for this filing.

On July 25 the City of Ferguson, Missouri (the City) filed a motion in opposition to approval of the tariff sheets. The tariff filing was apparently in direct response to the passage of an ordinance by the City prohibiting gas and electric utility services from providing utility service to dwellings within the City without verifying the issuance of a valid occupancy or service permit for the dwelling. The City argues that, by passing the ordinance in question, it has in no way violated the rules of the Commission or the laws of the State of Missouri.

LGC filed a response to the City's motion, arguing that the City does not have authority to limit the provision of a public service or supersede the authority of the Commission. The Staff of the Commission (Staff) also filed its recommendation in this case, stating that the ordinance passed by the City forces utilities to deny essential public service and deprives the Commission of its ability to carry out its statutory responsibility. The Staff recommended approval of the tariff sheets.

The Commission agrees with the analysis of the Staff and finds that the City has no power to limit or supersede the statutory authority and responsibility to regulate the public utilities granted to this Commission by statute. The Commission finds no question of fact to be decided in this matter and therefore no necessity for an evidentiary hearing.

The Commission finds the tariff sheets submitted on July 14, 1997 by LGC to be reasonable and in the public interest, and will therefore approve the tariff sheets for service on or after August 14, 1997.

IT IS THEREFORE ORDERED:

1. That the following tariff sheets, filed on July 14, 1997 by Laclede Gas Company, are hereby approved for service on or after August 14, 1997.

P.S.C. MO. No. 5 Consolidated

Third Revised Sheet No. R-4 CANCELLING Second Revised Sheet No. R-4
Original Sheet No. R-4-a

2. That this order shall become effective on August 14, 1997.

BY THE COMMISSION

A handwritten signature in cursive script, appearing to read "Cecil I. Wright".

**Cecil I. Wright
Executive Secretary**

(S E A L)

Zobrist, Chm., Crumpton,
Drainer, Murray and Lumpe,
CC., concur.

ALJ: Derque