

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

USW Local 11-6	)	
	)	
v.	)	Case No. GC-2006-0390
	)	
Laclede Gas Company,	)	
Respondent.	)	

**LACLEDE GAS COMPANY’S RESPONSE TO UNOPPOSED MOTION TO  
MODIFY PROCEDURAL SCHEDULE**

COMES NOW Laclede Gas Company (“Laclede” or “Company”) and files this Response to the Unopposed Motion to Modify Procedural Schedule (the “Motion”) filed by USW 11-6 (the “Union”) on September 6, 2006, and in support thereof states as follows:

1. While Laclede does not object to the amended timeframes set forth in the Motion, this filing is made to address and clarify other recitals made therein.
2. Paragraph 2 of the Motion stated that Laclede notified the parties that it was not available for a deposition anytime before September 19, 2006. This may leave the impression that Laclede has caused a delay in these proceedings, which is simply not accurate. In fact, Laclede made a special effort to request an advance meeting with the Commission to demonstrate how and why the installation of an automated meter reading module cannot cause a meter to leak.
3. The facts regarding the deposition are that all of the parties to this case, including Laclede, agreed to a deposition date of September 11, 2006. However, the Union failed to serve the non-party deponent, CellNet Technology, Inc., based in

Georgia, until sometime on or about September 1, 2006, and had not contacted CellNet to confirm its availability to produce a witness for either September 7 or 11.

4. Discussions between CellNet and the Union resulted in an agreement to conduct a deposition on September 19, to which the other parties also agreed.

5. Finally, Laclede would note that its concurrence with the amended schedule is subject to Laclede's right to request dismissal or summary determination of the case, as it deems appropriate.

WHEREFORE, Laclede requests that the Commission accept this clarification of paragraph 2 of the Motion.

Respectfully Submitted,

/s/ Michael C. Pendergast

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**Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the Complainant, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of Public Counsel on this 7th day of September 2006 by United States mail, hand-delivery, email, or facsimile.

/s/ Rick Zucker