



2. OPC, the Missouri Division of Energy and the United Steelworkers Local 11-6 all support the Tariff Sheet.

3. On October 28, Staff filed the Motion in which it argued that the Commission should reject the Tariff Sheet not because it constituted unlawful single issue ratemaking, but because it “significantly deviates” from the programs previously approved in 2010, 2011 and 2013, and may impact other programs within the low income budget. Laclede respectfully submits that this year’s proposed 30% Component does not significantly differ from versus previous years’ programs. The differences arise from special circumstances this year in which, for the first time, a delay in energy assistance threatens to leave some low-income customers without access to the resources necessary to restore utility services as the winter heating season begins. Laclede adds that it does not believe the limit of \$400,000 proposed for the 30% Component will impact its other low income programs.

4. Staff repeatedly warns that, compared to previous 30% Component programs, Laclede’s proposal will “slash” benefits to elderly, disabled and other low-income customers, by decreasing the maximum credit per customer from \$1,000 to \$800 for elderly and/or disabled low-income customers, and from \$500 to \$400 for other low-income customers.<sup>2</sup> At the same time, Staff criticizes Laclede for increasing the programs budget from \$150,000 to \$400,000. In reacting to the delay in crisis energy assistance, Laclede’s goal was to make the 30% Component potentially available to more customers. Laclede accomplished this by increasing the amount of the budget while

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<sup>2</sup> Ironically, Staff’s motion to reject the tariff would eliminate all program benefits to these customers. In response to Staff’s criticism that Laclede provided no support for its proposed credit limits, Laclede notes it did provide information to Staff indicating that the lower ceiling levels being proposed in this filing are still higher than the average arrearage amount that would be credited under the program.

slightly decreasing the maximum payout to any one customer. Laclede submits that the reduced limits are reasonable because the relatively low commodity prices and a far warmer than normal winter last year reduced the average outstanding balance for customers who are likely to be eligible for energy assistance this winter. In addition, Laclede is conscious that the low-income budget is limited to \$600,000 and again does not believe that the 30% Component program will cause an issue with that limit.

5. Staff stated that it would not object to a 30% Component program that has the same terms as the previous programs that were approved by the Commission. While the terms of those programs would have the advantage of following a well-traveled path, there is no indication that such terms would be more appropriate in these unique circumstances as the terms proposed by the Company herein. In fact, the Company believes the proposed terms in the Tariff Sheet better serve this year's customers.

6. Finally, Staff is critical of Laclede's request to expedite approval of the program. Laclede would note that it sent the proposed Tariff Sheet to the parties on October 11, and was frankly surprised by Staff's adverse reaction to both the Laclede and MGE tariff filings. In the past, Staff has been supportive of programs that help customers in cases such as this.

7. In summary, a need has been created by a delay in energy assistance that will leave some low-income customers without access to the resources necessary to restore utility services as the winter heating season begins. Approval of the Company's tariff proposal will not be a panacea, but it would help hundreds and perhaps even thousands of customers in a way that has been found to be both lawful and reasonable in

the recent past. For all of these reasons, the Commission should approve the Company's Tariff Sheet and deny Staff's Motion to Reject it.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission issue its Order approving the Revised Tariff Sheet for service rendered on and after November 4, 2016.

Respectfully Submitted,

Laclede GAS COMPANY

**/s/ Rick Zucker**

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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 of record in this case on this 31st day of October, 2016 by United States mail, hand-delivery, email, or facsimile.

**/s/ Marcia Spangler**