

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

In the Matter of Laclede Gas Company's PGA) Case No. GR-2011-0055
factors to be reviewed in its 2009-2010 ACA filing)

STATUS REPORT

COMES NOW Laclede Gas Company (Laclede) and for its Status Report states as follows:

1. On December 30, 2010, Staff issued its Recommendation in Case No. GR-2010-0138, covering the 2008-2009 ACA period. In this Recommendation, Staff raised the issue that Missouri Pipeline Company ("MPC") had overcharged Laclede during the period 2005-08. Staff made the following recommendation on this issue:

"The Commission's Revised Report and Order¹ became final and unappealable after the Western District Court of Appeals issued its mandate on April 22, 2010. This date falls within Laclede's next ACA period, the 2009-2010 ACA. The Staff expects Laclede to take action to ensure its customers pay only the authorized maximum MPC transportation rates. Therefore, the Staff recommends the Commission hold this ACA case open to monitor and evaluate Laclede's actions with regard to the overcharges paid to MPC."

2. Laclede in fact took action consistent with Staff's recommendation by filing a petition against MoGas Pipeline, LLC ("MoGas") in circuit court in St. Charles County, Missouri in early 2011. In August 2011, Laclede filed a motion for summary judgment against MoGas.

3. On January 12, 2012, the Commission issued its order in the instant ACA case granting Laclede's motion to continue the date for Staff's recommendation pending further developments in Laclede's litigation against MoGas. The January 12 Order required Laclede to

¹ This refers to an order in Case No. GC-2006-0491, which was a Staff complaint filed against MPC and an affiliate.

file a status report on the MoGas litigation. Accordingly, Laclede filed status reports on May 1, June 29 and August 31.

4. In this status report, Laclede confirms that, on September 6, 2012, the St. Charles County Circuit Court granted Laclede's summary judgment request in the amount of \$6,638,361, plus prejudgment interest. Meanwhile, Laclede is attempting to work with MoGas in an effort to achieve a resolution of this dispute.

5. Having taken the action recommended by the Staff, having achieved the desired result, and having continued to pursue resolution of this matter, Laclede submits that the reason for deferring the Staff's recommendation in this case has been fulfilled. The ultimate resolution of the dispute may be in the near future or may be farther down the road. Therefore, Laclede believes that the Staff is now in position to proceed with filing its recommendation at a time when Staff is prepared to do so. Laclede hopes that Staff's recommendation will recognize Laclede's prudent and successful efforts to enforce the terms of the Commission's final and unappealable order in Case No. GC-2006-0491.

WHEREFORE, for the foregoing reasons, Laclede Gas Company respectfully requests that the Commission accept this Status Report.

Respectfully submitted,

/s/ Michael C. Pendergast

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CERTIFICATE OF SERVICE

Marcia Spangler 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 30th day of October, 2012.

/s/ Marcia Spangler

Marcia Spangler