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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 9th  
day of March, 1994.

In the matter of Laclede Gas Company's tariff )  
sheets designed to increase rates for gas service )  
provided to customers in the Missouri service area ) Case No. GR-94-220  
of the company. )

ORDER GRANTING INTERVENTION  
AND SETTING PROCEDURAL SCHEDULE

On January 28, 1994, the Commission issued an order and notice suspending the proposed tariffs, and providing notice should any proper party wish to intervene in this case. In addition, the Commission requested the parties file a suggested procedural schedule.

On February 16, 1994, a joint recommendation was filed by the parties offering a suggested procedural schedule. In addition, applications to intervene were received in a timely fashion from Union Electric Company (UE), Mississippi River Transmission Corporation (MRT), American National Can Company, et al., (Industrial Gas Users), and Gas Workers Local 5-6, O.C.A.W., AFL-CIO, (Local 5-6).

In the Joint Recommendation, the parties request modification of one scheduled deadline set in the Commission's order of January 28, 1994, that being the deadline for filing of LGC's direct testimony and schedules. The Commission is not opposed to this modification and will adopt the proposed procedural schedule as set out in the parties' recommendation.

The Commission finds that the entities listed above are proper parties to intervene in this matter and that all have an interest different from that of the general public as provided in 4 CSR 240-110(11). The Commission will, therefore, grant intervention to the entities as listed above.

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Per request of the parties, the Commission specifies that the last two days of the scheduled prehearing conference, July 26 and 27, will be limited to issues involving rate design and class cost of service. Those parties and intervenors interested solely in those issues need only attend that part of the prehearing conference. Also, per request of the parties, the Commission states, for purposes of clarification, that the depreciation study, data base, and property unit catalogue, to be submitted by LGC pursuant to 4 CSR 240-40.040(6), should be submitted to the Staff of the Commission and the OPC, but should not be filed in this case.

The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. The practice of prefiling testimony is designed to give parties notice, at the earliest reasonable opportunity, of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays in the proceedings caused by allegations of unfair surprise at the hearing.

Nothing in this order, nor in any other order in this case, shall preclude a party from addressing, or having a reasonable opportunity to address, matters not previously disclosed and arising at the hearing. The Commission, in its discretion and for good cause shown, may waive strict application of these requirements.

The Commission believes it is appropriate to limit the length of initial briefs to 100 pages and reply briefs to 50 pages. All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080(7).

The Commission will schedule a prehearing conference in this case to allow the parties the opportunity to resolve substantive issues as well as to consider those matters described in 4 CSR 240-2.090(6). The parties shall also utilize the prehearing conference to eliminate those issues which can be resolved through updating of a party's case, clarification of misunderstandings, explanation of an issue's interrelationship with other issues, and correction of

clerical or arithmetic errors if such issues have not been eliminated prior to the prehearing.

The parties shall file a hearing memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing, definitions of terms used in describing those issues, each party's position on those issues and quantification of the amount in dispute for each issue.

The parties shall file a reconciliation setting forth the total amount or values of each party's case as well as the individual contested amounts or values associated with each party's recommendation for expenses, revenues and rate base in conformance with the issues in the hearing memorandum. If necessary, the reconciliation may be amended or replaced during the proceedings to reflect any change in the issues or amounts in controversy.

**IT IS THEREFORE ORDERED:**

1. That intervention in this case is granted to Union Electric Company, Mississippi River Transmission Corporation, American National Can Company, et al., and Gas Workers Local 5-6, O.C.A.W., AFL-CIO.

2. That, in addition to and in modification of the procedural schedule set out in the Commission's order of January 28, 1994, the following schedule is adopted for this proceeding:

Laclede files Direct Testimony and Schedules	March 14, 1994
Staff, Public Counsel, and Intervenor file Direct Testimony and Schedules	July 1, 1994
Prehearing Conference (Non-Rate Design)	July 19-25, 1994
Prehearing Conference (Rate Design)	July 26-27, 1994
All parties file Rebuttal Testimony on Non-Rate Design Issues	August 4, 1994
All parties file Rebuttal Testimony on Rate Design Issues	August 8, 1994
Hearing Memorandum due	August 10, 1994

All parties file Surrebuttal Testimony

August 18, 1994

Case Reconciliation due

August 19, 1994

3. That Staff shall file fifteen (15) copies of its prepared direct testimony and schedules with the Executive Secretary of the Commission, and serve five (5) copies of same upon the Company and two (2) copies of same upon the Office of Public Counsel and each intervenor.

4. That the Office of Public Counsel and each intervenor shall file fifteen (15) copies of their direct testimony and schedules with the Executive Secretary of the Commission, and serve five (5) copies upon Company and two (2) copies upon each other party.

5. That all parties shall file their rebuttal and surrebuttal testimony in the same quantities as required for direct testimony. Company shall provide eleven (11) additional copies of its testimony to Staff.

6. That testimony and any attachments to a witness's testimony shall be marked and filed only in the manner prescribed by 4 CSR 240-2.130(11).

7. That initial briefs filed in this case shall be no longer than one hundred (100) pages and reply briefs shall be no longer than fifty (50) pages, unless otherwise ordered by the Commission.

8. That this order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch  
Executive Secretary

( S E A L )

Mueller, Chm., McClure, Perkins,  
and Crumpton, CC., Concur.  
Kincheloe, C., Absent.