

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

FILED
October 2, 2007
Data Center
Missouri Public
Service Commission

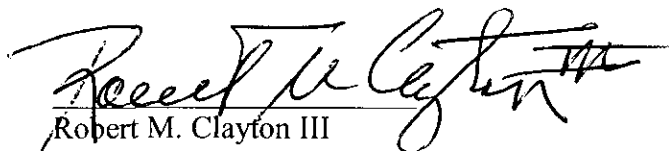
In the Matter of the Verified Application of Laclede)	
Gas Company for an Order Establishing)	
Replacement Requirements for the Final Phase of)	<u>Case No. GS-2008-0038</u>
its Soft Copper Service Line Replacement Program)	
Previously Approved Pursuant to Case)	
No. GO-99-155)	

DISSENTING OPINION OF COMMISSIONER
ROBERT M CLAYTON III

This Commissioner respectfully dissents from the Order Granting Reduction of Replacement Requirements issued by the majority in this proceeding. As previously stated in the dissent filed in the original case (GO-99-155), on March 19, 2006, this Commissioner continues to be concerned that Laclede has not been aggressive enough in its soft copper service line replacement program. Rather than reducing the replacement requirements, there should be discussion and agreement to accelerate the program. Replacements are necessary for improved safety in the distribution system to avoid the incidents that required the opening of this case in the first place. The public safety demands that this Commission should push for more timely replacements of inadequate infrastructure. Finally, there are statutorily authorized financial and rate making provisions in law that permit a utility to seek cost recovery in a timely fashion in the form of the Infrastructure System Replacement Surcharge. Unfortunately, the presence of the surcharge has not led to increased investment.

For the foregoing reasons, this Commissioner respectfully dissents.

Respectfully submitted,


Robert M. Clayton III
Commissioner

Dated at Jefferson City, Missouri,
on this 1st day of October 2007.