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

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In the Matter of the Application of Laclede Gas Company for an Accounting Authority Order Authorizing the Company to Defer for Future Recovery the Costs of Complying With the Emergency Amendment to the Commission's Cold Weather Rule

Case No. GA-2007-\_\_\_\_

### VERIFIED APPLICATION FOR ACCOUNTING AUTHORITY ORDER

**COMES NOW** Laclede Gas Company ("Laclede" or "Company") and, pursuant to 4 CSR 240-2.060 and 2.080 and the Commission's Rules of Practice and Procedure and §393.140 RSMo. 2000, files its Verified Application for an Accounting Authority Order ("AAO"), and in support thereof states as follows:

1. Laclede is a public utility incorporated under the laws of the State of Missouri, with its principal office located at 720 Olive Street, St. Louis, Missouri 63101. A Certificate of Good Standing evidencing Laclede's standing to do business in Missouri was submitted in Case No. GF-2000-843 and is hereby incorporated by reference herein for all purposes. Laclede is engaged in the business of distributing and transporting natural gas to customers in the City of St. Louis and the Counties of St. Louis, St. Charles, Jefferson, Franklin, Iron, Ste. Genevieve, St. Francois, Madison, Butler and Crawford in Eastern Missouri, as a gas corporation subject to the jurisdiction of the Missouri Public Service Commission (the "Commission").

2. Communications in regard to this Application should be addressed to:

Michael C. Pendergast Vice President & Associate General Counsel Laclede Gas Company 720 Olive Street, Room 1520 St. Louis, MO 63101 (314) 342-0532 mpendergast@lacledegas.com 3. Except for any matter that may be before this Commission, Laclede has no pending actions or final unsatisfied judgements or decisions against it from any state or federal agency or court which involve customer service or rates.

4. Laclede is current on its annual report and assessment fee obligations to the Commission, and no such report or assessment fee is overdue.

5. On December 13, 2005, the Commission issued its Order Approving Emergency Amendment (the "Emergency Amendment"), in which it amended, effective January 1, 2006, Commission Rule 4 CSR 240-13.055, entitled "Cold Weather Maintenance of Service," and known as the "Cold Weather Rule ("CWR").

6. On August 11, 2006, the Commission issued its Order of Rulemaking in Case No. GX-2006-0434, in which it adopted on a permanent basis a number of the provisions that had been placed into effect as part of the Emergency Amendment (such provisions being hereinafter referred to as the "Permanent Amendment"). In addition to permitting customers to reconnect or maintain service by paying the lesser of 50% or \$500 of preexisting arrears, the Permanent Amendment also set forth terms explaining how gas utilities should calculate and recover the costs of complying with the Permanent Amendment. *See* 4 CSR 240-13.055(14)(F). The Permanent Amendment also specifies that gas utilities may continue to calculate and defer costs under the Emergency Amendment upon the same terms as those set forth in the Permanent Amendment. 4 CSR 240-13.055(14)(F)4.

7. Consistent with the Commission's Order of Rulemaking, Laclede requests that it be granted accounting authorization to calculate and defer for recovery the costs of complying with the Emergency Amendment upon the same terms as those set forth in the Permanent Amendment to the Cold Weather Rule adopted by the Commission on August 11, 2006 in Case No. GX-

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2006-0434. Pursuant to the terms of the Permanent Amendment, Laclede has also filed on this date a separate Application for an Accounting Authority Order to defer and recover the cost of complying with the Permanent Amendment, as well as tariff sheets setting forth those terms.

**WHEREFORE**, for the foregoing reasons, Laclede Gas Company respectfully requests that the Commission issue an Accounting Authority Order authorizing Laclede Gas Company to defer and book as a regulatory asset for future recovery the costs of complying with the Emergency Amendment on the terms set forth in the Permanent Amendment to the Cold Weather Rule adopted by the Commission on August 11, 2006.

Respectfully requested,

#### <u>/s/ Michael C. Pendergast</u>

Michael C. Pendergast #31763 Vice President and Associate General Counsel Rick Zucker #49211 Assistant General Counsel

Laclede Gas Company 720 Olive Street, Room 1520 St. Louis, MO 63101 (314) 342-0532 Phone (314) 421-1979 Fax mpendergast@lacledegas.com rzucker@lacledegas.com

# **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Application has been duly served on the General Counsel of the Staff of the Missouri Public Service Commission and on the Office of the Public Counsel on this 29<sup>th</sup> day of September, 2006 by hand-delivery, facsimile, electronic mail, or by placing a copy of such Application, postage prepaid, in the United States mail.

/s/ Rick Zucker Rick Zucker

# **VERIFICATION**

STATE OF MISSOURI ) ) SS. CITY OF ST. LOUIS )

I, Michael R. Spotanski, Vice President-Finance for Laclede Gas Company, being first duly sworn, verify that I am familiar with the foregoing Verified Application filed on behalf of Laclede; and that the matters set forth therein are true and correct to the best of my knowledge, information and belief.

Michael K. Solanstan Michael R. Spotanski

Subscribed and sworn to before me this 29th day of September, 2006.

Japle a. Justice Notary Public

My Commission expires: 2 - 18 - 300P

KAREN A. ZURLIENE NOTARY PUBLIC - NOTARY SEAL STATE OF MISSOURI, CITY OF ST. LOUIS MY COMMISSION EXPIRES FEBRUARY 18, 2008