

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 15, 2001**

CASE NO: GT-2001-329

Office of the Public Counsel
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Missouri Public Service Commission
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 15th
day of February, 2001.

In the matter of Laclede Gas Company's Tariff	)	
Filing to Implement an Experimental Fixed	)	Case No. GT-2001-329
Price Plan and Other Modifications to Its Gas	)	Tariff No. 200100572
Supply Incentive Plan.	)	

ORDER ADOPTING PROCEDURAL SCHEDULE
AND FURTHER SUSPENDING TARIFF

On November 17, 2000, Laclede Gas Company (Laclede) made a tariff filing to implement an experimental Fixed Price Plan and other modifications to its Gas Supply Incentive Plan. The Commission issued an order suspending the tariff on December 14, 2000. The tariff was suspended for a period of 120 days, to April 17, 2001, unless otherwise ordered by the Commission.

On January 29, 2001, the Staff of the Missouri Public Service Commission (Staff) filed a Joint Proposed Procedural Schedule on behalf of Staff, Laclede, and the Office of the Public Counsel (Public Counsel). In addition to providing a proposed procedural schedule, Staff states that the parties agree that Data Request responses shall be due in ten days, and that working papers will be delivered by hand to the other parties within two days of the testimony filing.

The Commission has reviewed the proposed procedural schedule and finds it to be generally appropriate with two modifications. Due to a conflict with the Commission's schedule, the hearing will be scheduled for June 18, 2001. In addition, Laclede will be directed to file its direct testimony no later than February 22, 2001.

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice 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.

(B) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(D) Each party shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall establish the order of cross-examination and file a joint pleading indicating the same.

(E) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues list, and shall not contain argument about why the party believes its position to be the correct one. The position statement shall be filed in both paper form and electronically, either on computer disk or by e-mail. Electronically-submitted documents shall be in

Word, WordPerfect, or ASCII format. The Regulatory Law Judge's e-mail address is: vruth@mail.state.mo.us.

(F) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(G) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Each principal brief shall not exceed 30 pages in length; reply briefs shall not exceed 15 pages in length.

(H) All parties are required to bring an adequate number of copies of exhibits which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

(I) Data Request responses shall be due in ten days, and working papers shall be delivered by hand to the other parties within two days of the testimony filing.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is adopted for this case, subject to the conditions discussed above:

<u>Event</u>	<u>Date</u>
Laclede Gas Company files direct testimony	February 22, 2001 3:00 p.m.
All other parties file rebuttal testimony	April 30, 2001 3:00 p.m.
Prehearing conference	May 15, 2001 10:00 a.m.
Laclede Gas Company files surrebuttal testimony	May 17, 2001 3:00 p.m.
Issues list filed	May 25, 2001 3:00 p.m.
Parties file statements of position on issues	June 1, 2001 3:00 p.m.
Hearing	June 18, 2001 8:30 a.m.

2. That the prehearing conference and the evidentiary hearing will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri; the prehearing conference in Room 305, and the hearing in Room 310. The Governor Office Building meets accessibility standards required by the Americans With Disabilities Act. If any person needs additional accommodations to participate, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the prehearing or hearing.

3. That the tariff filing made by Laclede Gas Company on November 7, 2000 (Tariff File No. 200100572), initially suspended for a period of 120 days, to April 17, 2001, is suspended for an additional six months, to October 17, 2001.

4. That this order shall become effective on February 25, 2001.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray,
Schemenauer, and Simmons, CC.,
concur.

Ruth, Regulatory Law Judge

Alt/Sec'y: Ruth (Roy)

Date Circulated 2-9 CASE NO. GT-2001-329

VS
Lumpke, Chair

MS
Drainer, Vice Chair

on 3 hearing date

OS
Murray, Commissioner

KS
Schenenauer, Commissioner

KS
Simmons, Commissioner

2-15
Agenda Date

Action taken: 5-04A

Must Vote Not Later Than _____

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 15th day of February 2001.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge