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June 5, 2001

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FILED³

JUN 05 2001

Missouri Public
Service Commission

RE: Case No. GT-2001-329

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of the **NONUNANIMOUS PROPOSED LIST OF ISSUES**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

David A. Meyer
Associate General Counsel
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DAM/lb
Enclosure
cc: Counsel of Record

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

FILED³
JUN 05 2001

Missouri Public
Service Commission

In the Matter of Laclede Gas Company's Tariff)
Filing to Implement an Experimental Fixed Price)
Plan and Other Modifications to Its Gas Supply)
Incentive Plan)

Case No. GT-2001-329

NONUNANIMOUS PROPOSED LIST OF ISSUES

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and Office of the Public Counsel, and respectfully state as follows:

1. On November 17, 2000, Laclede Gas Company ("Laclede") filed with the Missouri Public Service Commission ("Commission") tariff sheets setting forth modifications to its Gas Supply Incentive Program, which was scheduled to expire on September 30, 2001.

2. Subsequently, in response to the Staff's Motion to Suspend the tariff sheets, the Commission established this case to consider the future of the Gas Supply Incentive Program ("GSIP"). On February 15, 2001, the Commission issued its Order Setting Adopting Procedural Schedule and Further Suspending Tariff, wherein the Commission required the parties to develop and agree on a list of issues to be determined by the Commission in this case.

3. Pursuant to the ordered procedural schedule, Staff and the Office of Public Counsel have assembled the following list of issues. As the parties have been unable to agree on a common list of issues, Laclede is filing its list separately. The listing of issues below is not to be considered as an agreement by any party that any particular listed issue is, in fact, a valid or relevant issue. Indeed, in the subsequent filing of position statements, some parties may state that they consider a particular listed issue to not be a valid issue. This "non-binding" listing of

76

issues is not to be construed as impairing any party's ability to argue about any of these issues or related matters, or to restrict the scope of its response to arguments made by other parties.

LIST OF ISSUES

The parties to this pleading have agreed upon the following list of contested issues:

1. Shall any Incentive Program for Laclede be continued in some form beyond the current expiration date of September 30, 2001?
2. Should the GSIP be replaced by another program?
3. If the GSIP should be replaced, should the Commission adopt Laclede's proposal of an "Experimental Fixed Price Program"?
4. Should the Commission evaluate Laclede's performance within an incentive program on individual components of the cost of gas, without regard to the overall delivered cost of gas?
5. If an incentive is used, what should be the terms?
 - A. How should Laclede's commodity procurement be rewarded?
 - i. Based upon index prices?
 - ii. Based on a request for proposal process for premiums?
 - iii. Based upon a fixed price?
 - B. How shall firm transportation pipeline discounts be incorporated into the incentive?
 - C. How should pipeline mix be incorporated into the incentive?
 - D. How should Laclede be permitted to share in capacity release credits?
 - E. How should Laclede share in profits of off-system sales? If so, under what conditions?
 - F. Shall an earnings cap be placed on the profits retained by Laclede?
 - G. Should an incentive program have a sunset provision?
 - H. If an incentive is provided, how should the profits be allocated between Laclede and the ratepayers?

- I. How shall bundled contracts be treated under an incentive plan?
6. Should updated baselines be incorporated in a modified GSIP?

Respectfully submitted,

DANA K. JOYCE
General Counsel



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**ATTORNEY FOR THE OFFICE OF THE
PUBLIC COUNSEL**

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 5th day of June, 2001.



**Service List for
Case No. GT-2001-329
Verified: June 5, 2001 (lb)**

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