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September 28, 2001

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

SEP 28 2001

**Missouri Public
Service Commission**


**RE: Laclede Gas Company,
Case No. GT-2001-329**

Dear Mr. Roberts:

Enclosed for filing in the above referenced case, please find the original and 8 copies of **Public Counsel's Response to Laclede's Request for Clarification**. Please "file stamp" the extra-enclosed copy and return it to this office. I have on this date mailed, faxed, or hand-delivered the appropriate number of copies to all counsel of record.

Thank you for your attention to this matter.

Sincerely,


Douglas E. Micheel
Senior Public Counsel

DEM:kh

cc: Counsel of record

Enclosure

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

FILED³
SEP 28 2001

Missouri Public
Service Commission

In the matter of Laclede Gas Company's tariff)	
filing to implement an experimental fixed price)	Case No. GT-2001-329
plan and other modifications to its Gas Supply)	
incentive plan.)	

**PUBLIC COUNSEL'S RESPONSE TO
LACLEDE'S REQUEST FOR CLARIFICATION**

COMES NOW the Office of the Public Counsel ("Public Counsel") and for its response to Laclede's Request for Clarification states as follows:

1. On September 27, 2001 Laclede filed its Request for Clarification requesting that the Commission "clarify its Report and Order to specify that the incentive features applicable to capacity release revenues and transportation discounts will continue upon expiration of the GSIP and until further order of the Commission." (Request ¶5).

2. Laclede's apparent basis for its request to clarify the Report and Order is an isolated passage in the Finding of Fact section of the Report and Order on page 10. (Request ¶3). Laclede wholly ignores the unambiguous ordered paragraphs of the Report and Order. Ordered paragraphs two and three demonstrate in unambiguous fashion the majority of the Commission's desire to reject the proposed extension of Laclede's gas supply incentive plan. Ordered paragraphs two and three state:

2. That the proposed tariff filing on November 27, 2000, by Laclede Gas Company under tariff number 200100572, is rejected. The rejected tariff sheets are:

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P.S.C. Mo. No. 5 Consolidated
Fifth Revised Sheet No. 28-a
Third Revised Sheet No. 28-b
Original Sheet No. 28-b.1
Original Sheet No. 28-b.2

3. That competent and substantial evidence upon the record as a whole does not support an extension of Laclede Gas Company's Gas Supply Incentive Program.

(Report and Order GT-2001-329 p. 14, Sept. 20, 2001).

3. Laclede had proposed the extension of its capacity release revenue incentive and its transportation discount incentive in its proposed tariff sheets. The Commission unambiguously rejected those tariffs and specifically found that competent and substantial evidence upon the record as a whole did not support an extension of Laclede's GSIP. In her dissent Commission Murray recognized the fact that the Commission's majority rejected "the proposed extension of Laclede's gas supply plan." (Murray Dissent GT-2001-329, p. 1).

4. Laclede's request is nothing more than an attempt to relitigate issues which the Commission has already decided. The Commission unambiguously determined that Laclede's proposed gas supply incentive program be rejected.

WHEREFORE, Public Counsel requests the Commission deny Laclede's request for clarification and reaffirm the Commission's finding in its September 20, 2001 Report and Order that the proposed extension of Laclede's gas supply incentive plan was rejected in its entirety by the Commission.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

BY:



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been faxed, mailed or hand-delivered to the following counsel of record on this 28th day of September, 2001:

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