

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 19, 2002**

CASE NO: GT-2001-329

Office of the Public Counsel

P.O. Box 7800
Jefferson City, MO 65102

Michael C. Pendergast

Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101

Larry W. Dority/James M. Fischer

Fischer & Dority PC
101 Madison Street, Suite 400
Jefferson City, MO 65101

Thomas M. Byrne

Ameren Services Company
1901 Chouteau Avenue
PO Box 66149
St. Louis, MO 63166-6149

General Counsel

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Diana M. Vuylsteke

Bryan Cave LLP
211 N. Broadway, Suite 3600
St. Louis, MO 63102

Dean L. Cooper

Brydon, Swearengen & England, PC
312 E. Capitol Avenue, PO Box 456
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**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 19th day of
February, 2002.

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**
)
)

**ORDER DENYING REHEARING AND
ORDER DENYING REQUEST FOR CLARIFICATION**

This order denies the application for rehearing and denies the request for clarification.

On September 20, 2001, the Missouri Public Service Commission issued a Report and Order with an effective date of October 17, 2001. On September 27, 2001, Laclede Gas Company filed a request for clarification of the Commission's Report and Order. On October 10, 2001, Laclede filed an Application for Rehearing. On September 18, 2001, Laclede filed a pleading stating, *inter alia*, that its "request for Commission authorization to purchase fixed price instruments for this winter is now moot...." On December 19, 2001, Laclede filed a pleading stating, *inter alia*, that to the extent that Laclede's application for rehearing addresses "the treatment of off-system sales or capacity release revenues, such issues are now moot...."

Section 386.500, RSMo (2000), provides that the Commission must grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear."

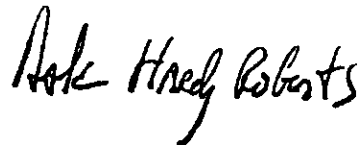
The arguments raised by Laclede in its various pleadings simply restate the arguments that were previously presented to the Commission and rejected in the Report and Order. In the judgment of the Commission, Laclede has failed to establish sufficient reason to grant its Application for Rehearing.

The Commission finds that Laclede has presented no compelling reason for clarification of its Report and Order and will thus deny Laclede's request for clarification.

IT IS THEREFORE ORDERED:

1. That the application for rehearing filed by Laclede Gas Company is denied.
2. That the request for clarification filed by Laclede Gas Company is denied.
3. That this order will become effective on March 1, 2002.

BY THE COMMISSION



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

(S E A L)

Simmons, Ch., and Lumpe, C., concur
Murray, C., concurs with concurring opinion attached
Gaw, C., dissents with dissenting opinion to follow
Forbis, C., not participating

Hopkins, Senior Law Judge

ALJ/Secretary: Hopkins/Ryce

Date Circulated 2-15 CASE NO. CT-2001-339

KS
Simmons, Chair

CM
Murray, Commissioner

JS
Lumpke, Commissioner

JK
Gaw, Commissioner

JK
Forbis, Commissioner

2-19
Agenda Date

Action taken: 3-1-1 (ND-Gaw-Dissent to follow)
NP- Forbis

Must Vote Not Later Than concurance attached
(murray)

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 19th day of Feb. 2002 .

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

