

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 7th day of  
December, 2006.

USW Local 11-6,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. GC-2006-0390</u></b>
	)	
Laclede Gas Company,	)	
	)	
Respondent.	)	

**ORDER REGARDING MOTION TO COMPEL DISCOVERY AND TO  
LIMIT EVIDENCE**

Issue Date: December 7, 2006

Effective Date: December 7, 2006

USW Local 11-6's complaint against Laclede Gas Company is set for hearing beginning on December 11, 2006. On December 1, Local 11-6 filed a motion asking Laclede to more fully comply with three data requests that it initially submitted to Laclede in April. The motion claims that Laclede has responded to each of the data requests in some fashion, but contends that Laclede has refused to disclose the underlying documentation that would support its responses. The motion asks the Commission to order Laclede to immediately produce the requested information, or as a sanction for its discovery abuse, prohibit Laclede from using or relying on at the hearing any data that is responsive to one of the Union's DRs but which was not provided to the Union.

On December 4, the Commission directed that any party wishing to respond to the Union's motion do so by December 5. Laclede filed such a response on that date. Laclede contends that the summary reports it has compiled fully responded to the Union's data requests. It does not, however, explain why it has refused to disclose the underlying documentation that the Union seeks, except to claim that such documentation would consist of reports submitted by members of the Union so that the Union would already be in possession of those documents.

This situation is troubling in two respects. First, Laclede has not provided an adequate explanation for why it has not provided the Union with the underlying documentation that it seeks. The Union should not have to rely on Laclede's assurances that the summary documents it has disclosed are fair and accurate. Second, the Commission is concerned that the Union waited until the week before the hearing to file its motion to compel, leaving the Commission very little time to consider this motion.

The Commission will compel Laclede to provide the Union with the documentation that it seeks. The Commission will defer ruling on the Union's request to limit the evidence that Laclede may offer to allow the parties to present updated information and argument at the time Laclede offers that evidence at the hearing.

**IT IS ORDERED THAT:**

1. USW Local 11-6's Motion to Compel Discovery is granted. Laclede Gas Company shall produce the underlying documentation sought by USW Local 11-6, including SAID hazard tickets, SAID work orders, Construction & Maintenance field reports, LDI field reports, meter reader field reports and any meter shop reports for non-AMR meters. In addition, Laclede shall permit USW Local 11-6 to review its customer

information system for a sample time period so that Local 11-6 can identify reports of gas odors or leaks.

2. This order shall become effective on December 7, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur

Woodruff, Deputy Chief Regulatory Law Judge