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July 25, 2002

Secretary of the Commission  
Missouri Public Service Commission  
Governor Office Building  
200 Madison Street, Ste. 100  
Jefferson City, MO 65102-0360

**FILED<sup>3</sup>**

**JUL 26 2002**

**Missouri Public  
Service Commission**

Re: Laclede Gas Case No. GA-2002-429

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case are the original and eight (8) copies of the Statement of Positions, Order of Cross, and List of Witnesses to be filed on behalf of the Missouri Energy Group. I would appreciate your bringing this filing to the attention of the Commission. A copy of this document has also been sent to RLJ Ruth.

An additional copy of this document is enclosed which I would appreciate your file stamping and returning in the enclosed, pre-addressed envelope.

Thank you for your attention to this matter.

Yours very truly,



Lisa C. Langeneckert

gmw  
Enclosures (11)  
cc: All Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>  
JUL 26 2002

Missouri Public  
Service Commission

In the Matter of the Application of )  
Laclede Gas Company for an Accounting )  
Authority Order Authorizing the Company )  
to Defer for Future Recovery )  
Consideration its Revenue Loss that )  
would otherwise be Unrecovered Due to )  
the Impact of Warm Weather on the )  
Company's Operations. )

Case No. GA-2002-429

**MISSOURI ENERGY GROUP  
STATEMENT OF POSITIONS, ORDER  
OF CROSS, AND LIST OF WITNESSES**

COME NOW the Missouri Energy Group ("MEG"), and pursuant to the Commission's Order Adopting Procedural Schedule in this case presents the following Statement of Positions, Order of Cross, and List of Witnesses:

**Statement of Positions**

1. Should the Commission grant Laclede's request for an Accounting Authority Order (AAO) to permit Laclede to defer recognition of the financial impact resulting from the warmer than normal weather in the winter of 2001-2002?

**MEG Position:** While the MEG believes that a utility should be able to recover its costs of providing service to allow it remain healthy and viable, it does not feel that an AAO is appropriate method to recover costs related to unusually warm weather

- A. Is the Company's request consistent or inconsistent with the traditional standards employed by the Commission for determining whether an AAO is appropriate?

**MEG Position:** See below

1. Was the warm winter an extraordinary, unusual, unique, and non-recurring event?

**MEG Position:** Despite the contention that the winter of 2001 was unusually warm, by Laclede's own admission in its Application opening this case, weather in Laclede's service area has been abnormally warm for much of the past 15 years [App. p. 4,  $\pi$  8] and was neither a unique nor a non-recurring event.

2. Did the warm winter have a material or substantial effect on Laclede's earnings?

**MEG Position:** The MEG takes no position on this issue at this time

3. Are there other considerations that argue in favor of or against granting the AAO request?

**MEG Position:** The MEG takes no position on this issue at this time

- B. Other issues to be considered.

1. Would the Commission's grant of Laclede's request for an AAO constitute retroactive ratemaking or single-issue ratemaking, and if so, would it be unlawful for that reason?

**MEG Position:** Laclede's request, if granted, could constitute unlawful single-issue ratemaking

2. For purposes of ruling on the AAO, does it matter that the financial impact to Laclede was caused by a decrease in revenues as opposed to an increase in costs?

**MEG Position:        The MEG takes no position on this issue at this time**

2.     If the Commission grants Laclede an AAO:

- A.     How should the deferral be calculated?

**MEG Position        The MEG takes no position on this issue at this time**

- B.     What amount should Laclede book as a deferral?

**MEG Position:        The MEG takes no position on this issue at this time**

- C.     What conditions, if any, should be reflected in the Commission's order?

**MEG Position:        The MEG takes no position on this issue at this time**

- D.     Should Laclede be allowed to recover any authorized deferral, or any portion thereof, in Laclede's current rate case or should recovery be deferred to Laclede's next general rate case?

**MEG Position:        Laclede should be allowed to recover its losses due to the weather in the current rate case**

3.     The MEG reserves the right to take a position on any matter disclosed in the hearing.

4.     The MEG reserves the right to cross examine any witness to this case.

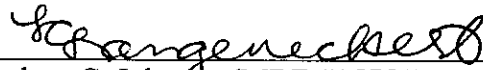
**Order of Cross**

Company  
Staff  
Public Counsel  
Intervenors

**List of Witnesses**

The MEG will have no witness.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "R. Johnson", is written over a horizontal line.

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Attorneys for Missouri Energy Group

CERTIFICATE OF SERVICE

Pursuant to 4 CSR 240-2.080 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day caused a copy of the foregoing to be served on all persons on the official service list in Case No. GA-2002-429.

Dated at St. Louis, Missouri this 25th day of July 2002.

**Jan Bond, Esq.**  
**Diekemper, Hammond, Shinnars,**  
**Turcotte and Larrew, P.C.**  
7730 Carondelet Avenue, Suite 200  
St. Louis, MO 63105

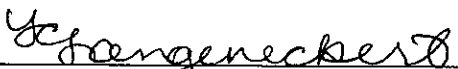
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