

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 17th day of May, 2012.

In the Matter of Laclede Gas Company's)	
Application to Establish Depreciation Rates for)	File No. GO-2012-0363
Enterprise Computer Software Systems)	

ORDER GRANTING WAIVER OF 60-DAY NOTICE REQUIREMENT

Issue Date: May 17, 2012

Effective Date: May 17, 2012

On May 4, 2012, Laclede Gas Company filed a Notice of Intended Case Filing and Request for Waiver of 60-Day Notice Before Filing. Laclede's pleading indicated its intent to file an application for an order establishing a depreciation rate for a new enterprise information management system (EIMS). Commission rule 4 CSR 240-4.020(2) requires a regulated utility that intends to file what may become a contested case to file a notice with the Commission at least 60 days before filing the pleading that may commence the contested case. Laclede's May 4 pleading constitutes the notice required by the regulation.

Laclede explains that it would like to have a new depreciation rate in place before October 1, 2012, when it begins to implement the various components of its new EIMS. For that reason, Laclede asks the Commission to waive the 60-day notice requirement of the regulation to allow the company to file its application for a depreciation rate immediately, rather than wait 60 days.

Commission rule 4 CSR 240-4.020(2)(B) provides that a utility may request a waiver of the rule's 60-day notice requirement for good cause. Laclede asserts four factors that constitute good cause for granting the waiver. First, Laclede indicates its application for

establishment of a depreciation rate is unlikely to be actually contested. Second, since a similar depreciation issue was recently presented to the Commission in another case, there is no need for a quiet period before this issue is presented to the Commission again. Third, Laclede has not had any communications about its application for a depreciation rate with any Commissioner or other person covered by the 60-day notice requirement. Fourth, and finally, Laclede shared information about its depreciation application with Staff and Public Counsel on April 4, so the matter has been disclosed to representatives of the public since that time.

Laclede has offered a reasonable explanation of why it would like to have an expedited decision from the Commission regarding its application for establishment of a depreciation rate for its new EIMS. However, by itself, a need for expedited consideration may not be sufficient to justify a waiver of the 60-day notice requirement. The Commission established that notice requirement to ensure that no utility attempted to improperly influence the Commissioners before filing a pleading to commence the hearing process. For that reason, Laclede's representation that it has not had any communications about that application with any Commissioner, or Commission employees associated with the Commissioners, is the most persuasive indication of good cause to waive the 60-day notice requirement.

After considering Laclede's request for waiver, the Commission finds that Laclede has demonstrated good cause for waiver of the 60-day notice requirement. Laclede may file its application for establishment of a depreciation rate when it is ready to do so.

THE COMMISSION ORDERS THAT:

1. Laclede Gas Company's Request for Waiver of 60 Day Notice Before Filing is granted.
2. Laclede Gas Company may file its Application for an Order Establishing a Depreciation Rate for the Company's New Enterprise Information Management System whenever it is ready to do so.
3. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Gunn, Chm., Jarrett and Kenney, CC., concur.

Woodruff, Chief Regulatory Law Judge