

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

In the Matter of Laclede Gas Company's Verified)
Application to Re-Establish and Extend the) Case No. GF-2015-0181
Financing Authority Previously Approved by the)
Commission)

**LACLEDE'S REPLY TO STAFF'S RESPONSE REGARDING
LACLEDE'S MOTION FOR PROTECTIVE ORDER**

COMES NOW Laclede Gas Company ("Laclede" or "Company"), and files this Reply to Staff's Response ("Response") to Laclede's Motion for Protective Order in Resolution of Discovery Dispute, and in support thereof states as follows:

1. In paragraph 7 of the Response, the Staff states that it would not object, subject to the adoption of certain conditions, to the Commission issuing a protective order relating to how the information sought by Staff in its Motion to Compel should be treated in other proceedings.

2. Laclede responds that it would accept Staff's offer subject to an additional condition and a clarification set forth below. Laclede has attached hereto as Exhibit 1 a form of Protective Order for the Commission's consideration that reflects the parties' positions

3. One of the conditions Staff requests is that the Commission state that it is not finding that the information is privileged. Laclede would clarify that the Commission is not making any finding as to whether or not the information is privileged or relevant. This requested condition arises from Staff's belief that the information at issue is in fact not privileged. Laclede understands Staff's position, but Laclede disagrees and reiterates here its belief that the information is privileged and Laclede is therefore highly likely to oppose its use in another case.

4. Accordingly, Laclede requests that the Commission's order reflect that Laclede's timely objection to the use of such information will be treated in the same manner as any other

objection in that such information will not be used in any other proceeding unless and until the Commission rules on such objection.

5. As Laclede stated in its motion, the issuance of a protective order simultaneously reconciles and satisfies two important goals of discovery. First, it facilitates Staff's access to information that Staff claims it needs to perform its regulatory responsibilities in this case. Second, it protects Laclede's equally important right to object in any other proceeding to the use of privileged information. Because a protective order would resolve the inherent tension that exists between these competing goals in a manner that meets both parties' needs, Laclede respectfully submits that the Commission should issue such an order.

WHEREFORE, for the foregoing reasons, Laclede respectfully requests that the Commission issue its Protective Order as requested herein.

Respectfully submitted,

LACLEDE GAS COMPANY

By: /s/ Rick Zucker

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties of record on this 22nd day of September, 2015 by hand-delivery, e-mail, fax, or by placing a copy of such document, postage prepaid, in the United States mail.

/s/ Marcia Spangler

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PROTECTIVE ORDER

On August 26, 2015, Staff filed a motion asking the Commission to compel Laclede to deliver certain projected financial information without redaction. On September 8, Laclede filed a pleading asserting that the information requested was irrelevant and subject to a work product privilege. Laclede also filed a motion for a protective order, in which Laclede agreed to nevertheless provide the unredacted information subject to certain conditions. On September 16, Staff responded to Laclede's motion and indicated that it would not object to the issuance of a protective order, subject to certain conditions. Laclede replied to Staff on September 22, and accepted Staff's conditions with one addition.

The Commission finds that Laclede's request for a protective order in connection with disclosure of the requested information is a reasonable solution to the discovery dispute, and also finds that the conditions suggested by Staff and Laclede to be reasonable.

THE COMMISSION ORDERS THAT:

1. Laclede shall, within 5 business days of this order, respond to Staff DRs 2, 17, 18, 20 and 24, without redaction of projected financial information.
2. Except as provided herein, the unredacted projected financial information produced by Laclede will be treated as HC and used in this proceeding only, will not be shared with any other person or entity that is not a party to this case, and will not be used in any proceeding other than this case.

3. In the event that Staff (or any person or entity that is a party to this case and receives the unredacted information) intends to use the previously redacted information in any proceeding other than this case, Staff (or such other person or entity) must inform Laclede in writing that it intends to use such information at least 30 days in advance of such use. Laclede may then seek an order from the Commission to prevent the use of such previously redacted information in such proceeding. Should Laclede seek such an order, the person or entity shall not use the previously redacted information unless and until the Commission rules on any objection lodged by Laclede.

4. Laclede shall set forth this condition on its unredacted responses and shall clearly designate the previously redacted information subject to this condition.

5. The Commission is not making a finding with respect to whether or not the redacted information, or the type of information that was redacted, is privileged or relevant in this case, and no such conclusion should be drawn from the granting of this protective order.

6. The granting of this protective order shall have no precedential effect whatsoever for Laclede or any other utility, nor should any person or entity infer the right to a future protective order.