LAW OFFICES

#### BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORATION
312 EAST CAPITOL AVENUE
P.O. BOX 456

JEFFERSON CITY, MISSOURI 65 I 02-0456
TELEPHONE (573) 635-7 I 66
FACSIMILE (573) 635-0427

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. FARR
JANET F. WHEFLER

OF COUNSEL RICHARD T. CIOTTONE

October 18, 2002

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

FILED<sup>3</sup>
OCT 1 8 2002

Re: Laclede Gas Company

GR-2002-356

Missouri Public Service Commission

Dear Mr. Roberts:

DAVID V.G. BRYDON

PAUL A. BOUDREAU SONDRA B. MORGAN

CHARLES E. SMARR

JAMES C. SWEARENGEN

WILLIAM R. ENGLAND, III

JOHNNY K. RICHARDSON GARY W. DUFFY

Enclosed for filing with the Missouri Public Service Commission ("Commission") on behalf of Laclede Gas Company ("Laclede" or "Company"), please find three (3) copies of the following tariff sheets:

- PSC MO. No. 5 Consolidated, Fifth Revised Sheet No. 1-a, Cancelling Fourth Revised Sheet No. 1-a
- PSC MO. No. 5 Consolidated, Fourteenth Revised Sheet No. 2, Cancelling Thirteenth Revised Sheet No. 2
- PSC MO. No. 5 Consolidated, Tenth Revised Sheet No. 3, Cancelling Ninth Revised Sheet No. 3
- PSC MO. No. 5 Consolidated, Original Sheet No. 3-a, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Original Sheet No. 3-b, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Thirteenth Revised Sheet No. 4, Cancelling Twelfth Revised Sheet No. 4
- PSC MO. No. 5 Consolidated, Second Revised Sheet No. 4-a, Cancelling First Revised Sheet No. 4-a
- PSC MO. No. 5 Consolidated, Fourteenth Revised Sheet No. 5, Cancelling Thirteenth Revised Sheet No. 5
- PSC MO. No. 5 Consolidated, Thirteenth Revised Sheet No. 7, Cancelling Twelfth Revised Sheet No. 7
- PSC MO. No. 5 Consolidated, Fifteenth Revised Sheet No. 8, Cancelling Fourteenth Revised Sheet No. 8
- PSC MO. No. 5 Consolidated, Thirteenth Revised Sheet No. 9, Cancelling Twelfth Revised Sheet No. 9
- PSC MO. No. 5 Consolidated, Eighth Revised Sheet No. 11, Cancelling Seventh Revised

Sheet No. 11

- PSC MO. No. 5 Consolidated, Eleventh Revised Sheet No. 18, Cancelling Tenth Revised Sheet No. 18
- PSC MO. No. 5 Consolidated, Second Revised Sheet No. 18-a, Cancelling First Revised Sheet No. 18-a
- PSC MO. No. 5 Consolidated, Original Sheet No. 18-b, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Original Sheet No. 18-c, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Original Sheet No. 28-b.1, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Original Sheet No. 28-b.2, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Original Sheet No. 28-b.3, Cancelling All Previous Schedules
- PSC MO. No. 5 Consolidated, Second Revised Sheet No. 28-c.1, Cancelling First Revised Sheet No. 28-c.1
- PSC MO. No. 5 Consolidated, 192<sup>nd</sup> Revised Sheet No. 29, Cancelling 191<sup>st</sup> Revised Sheet No. 29
- PSC MO. No. 5 Consolidated, Ninth Revised Sheet No. 34, Cancelling Eighth Revised Sheet No. 34
- PSC MO. No. 5 Consolidated, Third Revised Sheet No. R-12, Cancelling Second Revised Sheet No. R-12
- PSC MO. No. 5 Consolidated, First Revised Sheet No. R-43, Cancelling Original Sheet No. R-43

The tariff sheets bear an issue date of October 18, 2002 and an effective date of November 18, 2002. Included is a letter from Kenneth J. Neises, Laclede's Executive Vice President of Energy & Administrative Services, which, among other things, explains the purpose of the filing.

Also enclosed for filing please find an original and eight (8) copies of Laclede Gas Company's Motion For Approval of Tariff Filing on Less Than Thirty Days' Notice and Motion for Expedited Treatment.

A copy of the subject tariff sheets and Motion are being provided this date to the Commission's General Counsel and also to the Office of the Public Counsel.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Very truly yours,

James C. Swearengen

JCS/lar Enclosure

cc: Office of the Public Counsel

General Counsel

FILED<sup>3</sup>
OCT 1 8 2002

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Laclede Gas	)	Service Commission
Company's Tariff to Revise Natural	)	Case No. GR-2002-356
Gas Rate Schedules.	)	

# LACLEDE GAS COMPANY'S MOTION FOR APPROVAL OF TARIFF FILING ON LESS THAN THIRTY DAYS' NOTICE AND MOTION FOR EXPEDITED TREATMENT

COMES NOW Laclede Gas Company ("Laclede" or "Company"), pursuant to 4 CSR 240-2.065 and 4 CSR 240-2.080(16) of the Commission's Rules of Practice and Procedure, and in support of its Motion for Approval of Tariff Filing on Less than Thirty Days' Notice and Motion for Expedited Treatment, states as follows:

## Request for November 1, 2002 Effective Date

- 1. On January 25, 2002, Laclede submitted to the Commission proposed tariff sheets intended to implement a general rate increase for natural gas service provided to customers in the Missouri service area of the Company.
- 2. On October 3, 2002, the Commission issued its Order Approving Stipulation and Agreement in which it approved the three stipulations and agreements that had been by the parties to this case to recommend a resolution of all issues raised in this matter. In that Order, the Commission directed Laclede to file compliance tariffs within 30 days of the effective date of the Order.
  - 3. Laclede filed such compliance tariffs on October 18, 2002.
- 4. With this Motion, Laclede requests that the Commission permit the New Tariff to go into effect on less than 30 days' notice. Specifically, Laclede requests that

the Commission approve the New Tariff effective for service on and after November 1, 2002.

- 5. Consistent with 4 CSR 240-2.080(16), Laclede submits that there is good cause for granting its request that the New Tariff be allowed to go into effect by November 1, 2002. First, such an effective date is consistent with the terms of the Stipulations and Agreements approved in this case, in which the parties recommended that the tariffs be implemented effective for service on and after November 1, 2002, with implementation of the weather mitigation rate design for C&I customers by that date subject to the availability of satisfactory billing data. See August 29, 2002, First Amended Stipulation and Agreement, paragraphs 2 and 8; September 5, 2002, Second Amended Stipulation and Agreement, paragraph 3. Second, since the rate design being implemented by the compliance tariffs is premised on rates changing each November 1st, implementation of the tariffs by November 1, 2002, is necessary to fully implement the rate design in its intended manner. Third, implementation of the tariffs by November 1, 2002 was a key element of the financial considerations underlying the Stipulations and Agreements.
- 6. Laclede filed these tariffs as soon as possible after Commission approval of the Stipulations and Agreements in Case No. GR-2002-356. Since the compliance tariffs will simply implement the terms of stipulations and agreements that the Commission has already determined to be just and reasonable, there can be no harm to customers from implementing the tariffs in accordance with the effective date recommended by the parties in those stipulations and agreements.

WHEREFORE, for the foregoing reasons, Laclede Gas Company respectfully requests that the Commission issue its Order approving the compliance tariffs for service rendered on and after November 1, 2002.

Respectfully Submitted,

Michael C. Perdeyet 6, Michael C. Pendergast, #31763

Vice President & Associate General Counsel

Laclede Gas Company

720 Olive Street, Room 1520

St. Louis, MO 63101

Telephone: (314) 342-0532 Facsimile: (314) 421-1979

E-mail:mpendergast@lacledegas.com

Rick Zucker, #49211 Assistant General Counsel-Regulatory Laclede Gas Company 720 Olive Street, Room 1524

James C. Evrangu

St. Louis, MO 63101

Telephone: (314) 342-0533 Facsimile: (314) 421-1979

E-mail: rzucker@lacledegas.com

### Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Motion was served on the General Counsel of the Staff of the Missouri Public Service Commission and the remaining parties to Case No. GR-2002-356 on this 18th day of October 2002 by hand-delivery or by placing a copy of such Motion, postage prepaid, in the United States mail.