

In the Matter of the Verified Application and)
 Petition of Laclede Gas Company to Change its) **File No. GO-2012-0356**
 Infrastructure System Replacement Surcharge)

4. Staff has some concerns. While this date may be reasonable, it establishes a date by which the Commission must act or the tariff will become effective by operation of law.

5. The Legislature has established the time by which the Commission must act in ISRS cases. “The commission may hold a hearing on the petition and any associated rate schedules and shall issue an order to become effective not later than one hundred twenty days after the petition is filed.” § 393.1015(3). (RSMo 2000 as currently supplemented.)

6. Staff does not disagree that this may be a reasonable effective date, however, Laclede unilaterally “providing a window” of 60 days for processing this matter² is not only contrary to Missouri statutes, it is not something to which Staff has agreed to in prior Laclede rate case Stipulations.

7. In processing this case, Staff realized that a number of events could delay Commission action, which could result in this case becoming effective by operation of law. To allow that to happen would not be in the public interest. Even though these filings have become “largely routine in nature” (Laclede App. at para 22), Staff carefully reviews and audits these filings for compliance with the statutory requirements. For this reason, Staff routinely moves to suspend ISRS tariff filings for the 120 day period provided by statute.

8. Staff has recognized that through miscommunication, inadvertent or unavoidable delay, or other mishap, Laclede’s actions have created a situation under which this tariff could unintentionally become effective prior to completion of Staff’s

² The date Laclede suggests is actually a 73 day “window.”

review. To avoid the potential consequence, Staff is recommending the Commission suspend this tariff for the full 120 days permitted by statute.

WHEREFORE Staff requests the Commission suspend this tariff for 120 days from the date of the filing of the application, which would be August 26, 2012.

Respectfully submitted,

/s/ Lera L. Shemwell_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 31st day of May 2012.

/s/ Lera L. Shemwell_____