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June 15, 2001

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The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102-0360

Re:

Case No. GR-2001-629

.... 0100 110. 010 2001 029

Dear Judge Roberts:

Enclosed for filing in the above-referenced matter please find the original and eight copies of a Motion to Revise Form of Notice.

Missouri Public Service Commission

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

Thank you.

Sincerely,

Robert K Angstead

NEWMAN, COMLEY & RUTH P.C.

RKA:ab Enclosure

cc:

Office of Public Counsel General Counsel's Office Michael C. Pendergast

FILED
JUN 1 5 2001

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Missouri Public Service Commission

In the Matter of Laclede Gas Company's	)	Case No. GR-2001-629
Tariff to Revise Natural Gas Rate Schedules	)	Tariff No. 200101125

### **MOTION TO REVISE FORM OF NOTICE**

COMES NOW Laclede Gas Company (hereinafter sometimes referred to as "Laclede" or "Company") by its attorney and for its Motion to Revise Form of Notice respectfully states as follows:

- 1. In Ordered Number 13 of the Suspension Order and Notice in the above-captioned case, dated June 7, 2001, and to become effective June 17, 2001, the Commission directed the Company to provide a notification of its proposed increase in this case to its affected customers in a specified form consisting of three paragraphs. The first paragraph of the specified form of notice describes the proposed increase in the Company's Missouri jurisdictional annual gross revenue as being approximately 19.3 percent. The 19.3 percent number is incorrect. As shown at page 1, of Schedule 5 of the minimum filing requirement exhibit which accompanied the May 18, 2001 revised rate filing, the percentage change in revenues from current rates is actually 5 percent. Laclede accordingly requests that the form of notice be revised to reflect this correct percentage.
- 2. Laclede would note that in directing the Company to provide notice of the jurisdictional revenue increase sought by the Company in its last general rate case proceeding, Case No. GR-99-315, the Commission instructed the Company to use a percentage calculation that was done in a manner identical to that used to calculate the 5 percent figure suggested in this Motion and included in the Company's filing. (See

attached Suspension Order dated February 9, 1999, Case No. 99-315, Ordered No. 5.). Accordingly, adoption of the revision proposed herein would be consistent with the Commission's past practice in this area.

WHEREFORE, Laclede Gas Company hereby requests, for the reasons stated above, that the Commission issue its order modifying its Suspension Order and Notice to reflect a change to the form of Notice in Ordered No. 13, paragraph 1, line 4, from the erroneous 19.3 percent currently reflected to the correct percentage increase of 5 percent.

Respectfully submitted,

Michael C. Pendergast #31763

Laclede Gas Company

Assistant Vice President and

Associate General Counsel

Laclede Gas Company

720 Olive Street, Room 1520

St. Louis, MO 63101

(314) 342-0532 Phone

(314) 421-1979 Fax

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Motion to Revise Form of Notice has been duly served upon the General Counsel of the Staff of the Public Service Commission, Office of the Public Counsel and all parties of record to this proceeding by placing a copy thereof in the United States mail, postage prepaid, or by hand delivery, on this 15th day of June, 2001.

## STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 9th day of February, 1999.

### SUSPENSION ORDER AND NOTICE

On January 26, 1999, Laclede Gas Company (Company) submitted to the Commission tariffs reflecting increased rates for natural gas service provided to customers in the Missouri service area of the Company. The proposed tariffs were assigned tariff number 9900536 and bear a requested effective date of February 26, 1999. The proposed tariffs are designed to produce an annual increase of approximately 6.1 percent (\$30.5 million) in the Company's revenues.

To allow sufficient time to study the effect of the proposed tariffs and to determine if they are just, reasonable and in the public interest, the Commission will suspend the proposed tariffs for a period of 120 days plus an additional six months beyond the requested effective date, unless otherwise ordered by the Commission.

The Commission will schedule the hearing dates in this order to ensure this matter is heard as expeditiously as possible. Additionally, establishment of the hearing dates will allow for notice to be sent to customers. Company shall give notice to customers as directed in the ordered paragraphs below.

Control of the Contro

The Records Department of the Commission should serve a copy of this order upon the mayor of each city and the county commission of each county in the Company's service area. In addition, the Information Office shall send notice of this order to the publisher of each newspaper located in the counties in which the Company provides service, as listed in the newspaper directory of the current Official Manual of the State of Missouri, and to the members of the General Assembly representing the Missouri area served by the Company.

Any proper entity desiring to intervene in this proceeding shall file its application to intervene as ordered herein.

### IT IS THEREFORE ORDERED:

- 1. That all proposed tariff sheets submitted on January 26, 1999, by Laclede Gas Company for the purpose of increasing rates for natural gas service are hereby suspended for a period of one hundred twenty (120) days from February 26, 1999, to June 26, 1999.
- 2. That the tariffs suspended in ordered paragraph 1 are hereby suspended an additional six (6) months beyond June 26, 1999 to December 26, 1999, unless otherwise ordered by the Commission.
- 3. That anyone wishing to intervene shall file an application to intervene no later than March 1, 1999, with:

Secretary of the Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102 Copies of the application to intervene should be sent to:

Gerald T. McNeive, Jr.
Senior Vice President - Finance
and General Counsel
Laclede Gas Company
720 Olive Street
St. Louis, Missouri 63101

and

Office of the Public Counsel Post Office Box 7800 Jefferson City, Missouri 65102

- 4. That an evidentiary hearing is hereby scheduled for this case beginning August 9, 1999, to continue through August 13, 1999. The hearing will commence at 9:00 a.m. on August 9, 1999, and be held in the Commission's hearing room, fifth floor, Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person(s) with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.
- 5. That Laclede Gas Company shall notify each affected customer of the hearings scheduled in this case by either a notice on or accompanying a bill, or in a separate notice, at least ten (10) days but not more than forty-five (45) days prior to the first day of the hearings, unless otherwise ordered by the Commission. The notice shall be in the following form:

#### NOTICE

Laclede Gas Company has filed revised tariffs with the Missouri Public Service Commission (PSC) which would increase Company's Missouri jurisdictional annual gross revenues by approximately 6.1 percent. For the average residential customer, the proposed increase would be approximately \$3.37 a month.

An evidentiary hearing has been set before the PSC, beginning at 9:00 a.m., August 9, 1999, in the PSC's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. If you wish to comment or secure information, you may contact the Office of the Public Counsel, Post Office Box 7800, Jefferson City, Missouri 65102, telephone (573) 751-4857.

If any person has special needs as addressed by the Americans with Disabilities Act, please contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

- 6. That the Records Department and Information Office of the Commission shall serve a copy of this order and provide notice as described in this order.
  - 7. That this order shall become effective on February 19, 1999.

BY THE COMMISSION

HAR HARD Bloots

Dale Hardy Roberts
Secretary/Chief Regulatory

Secretary/Chief Regulatory Law Judge

(SEAL)

Lumpe, Ch., Crumpton, Drainer, Murray, and Schemenauer, CC., concur.

Dippell, Senior Regulatory Law Judge