

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

St. Louis Natural Gas Pipeline, LLC,	)	
	)	
Complainant,	)	
v.	)	Case No. GC-2011-0294
	)	
Laclede Gas Company,	)	
Respondent.	)	

**MOTION OF LACLEDE GAS COMPANY  
TO MODIFY DISCOVERY TIME LIMITS**

COMES NOW Respondent, Laclede Gas Company ("Laclede" or Company) and, pursuant to 4 CSR 240-2.090(2) of the Commission's Rules of Practice and Procedure, submits this motion to modify the time limits for responding to certain discovery requests in this case and, in support thereof, states as follows:

1. In this pleading, Laclede seeks the Commission's approval, for good cause, to defer Laclede's obligation to object and/or respond to 24 data requests propounded to it by St. Louis Natural Gas Pipeline, LLC ("SLNGP") on June 6, 2011, until after the Commission has determined how it wishes to proceed with this case.

2. On May 26, 2011, the Commission issued an Order (the "May 26 Order") denying Laclede's Motion to Dismiss the Complaint filed against the Company by SLNGP. In the May 26 Order, the Commission also directed the Commission Staff to perform an investigation and report back to the Commission no later than July 1, 2011.

3. Several events occurred in this case on June 6, 2011, including the following:

- Laclede filed a motion asking the Commission to reconsider its May 26 Order and dismiss SLNGP's complaint, either now or after it receives and reviews the Staff's report;

- CenterPoint Energy–MRT (“CenterPoint”) filed comments alleging that SLNGP has made a number of false statements in its pleadings, including confirming an allegation made by Laclede that SLNGP significantly overstated CenterPoint’s tariffed transport rate (SLNGP quoted a rate of 20 cents per MMBtu versus the actual rate of about 7 cents);
- Southern Star Central Pipeline (“SSC”) filed a pleading informing the Commission that SLNGP had failed to identify SSC as a pipeline that already provides natural gas to Laclede off of the Rockies Express Pipeline, and that SSC should be considered in any proposals to build a new pipeline;
- SLNGP propounded 24 data requests to Laclede, a copy of which is attached hereto, seeking a host of information from Laclede, including highly sensitive information regarding its pipeline competitors.

4. Laclede avers that the events of June 6 signify the hazards to the Commission, and to the utilities it regulates, of venturing into the tangled web of vendor selection. First, SLNGP approached Laclede with a proposal to develop an interstate pipeline into St. Louis. Laclede quickly perceived that, among other things, the proposal offered neither access to new sources of gas nor an attractive price, and declined to pursue the offer with SLNGP. Then, SLNGP filed a complaint against Laclede at the Commission. Although the Commission recognized its lack of authority to provide SLNGP what it really wants, that is, an order requiring Laclede to interconnect with SLNGP, the Commission nevertheless authorized the Staff to investigate SLNGP’s allegations.

5. If the pleadings filed in this case by Laclede, CenterPoint and SSC are to be believed, they paint a picture of SLNGP as a persistent company with an inferior business idea that seeks to distinguish itself and its product by ignoring the services already available to Laclede from one potential competitor (SSC) and by misrepresenting the pricing and quality of another competitor (CenterPoint), and in so doing lure the

Commission into exceeding its authority by requiring Laclede to interconnect. Does the Commission really want to continue to venture into this quagmire?

6. Currently, Laclede's gas supply department is working to respond to a considerable number of meaningful data requests in Staff's audit of the 2009-10 ACA Period, is responding on an expedited basis to Staff's data requests in connection with the Staff's investigation in this case, and has also received data requests in this case from OPC. Now Laclede has received a host of prying information requests from the Complainant itself that are clearly beyond the scope of the Staff investigation directed by the Commission in the May 26 Order. A copy of SLNGP's data requests are attached hereto as Exhibit 1.

7. If Laclede's June 6 motion for reconsideration is denied, the Staff will complete its investigation and provide a report to the Commission by July 1, 2011. If, after reviewing Staff's report, the Commission decides to dismiss this case, then SLNGP's data requests will be mooted and need not be answered. If that is the case, then there is no reason to require Laclede to object to or answer SLNGP's 24 data requests at this time.

8. If, after reviewing the Staff's July 1 report, the Commission decides to proceed with the complaint case, then the clock may begin to run on these data requests, and there will be no harm done by a delay of approximately one month, as the Commission has not even scheduled a pre-hearing conference in the case, much less established a procedural schedule.

9. Given the early stage of the case, the fact that Laclede is already responding on an expedited basis to Staff's data requests pursuant to the investigation

authorized by the Commission, and the fact that the Commission has already acknowledged that it cannot provide the interconnection order that SLNGP seeks, there is good cause to delay Laclede's obligation to object to or respond to the attached data requests at this time. Laclede proposes that the Commission issue an order stating that it will establish appropriate deadlines for Laclede to object or respond to SLNGP's data requests, if necessary, after its renders a decision regarding the Staff's investigative report.

**WHEREFORE**, Respondent Laclede Gas Company respectfully requests that the Commission order, for good cause shown, that the time limits to respond to the attached discovery requests propounded by SLNGP to Laclede be suspended, and that the Commission will address new time limits for Laclede to object or respond to such data requests, if necessary, in a subsequent order.

Respectfully submitted,

**/s/Michael C. Pendergast**

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**Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing Answer was served on the Staff and on the Office of Public Counsel on this 9th day of June, 2011 by United States mail, hand-delivery, email, or facsimile.

/s/ Gerry Lynch