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

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| USW Local 11-6 | ) | |
| | ) | |
| Complainant, | ) | |
| v. | ) | Case No. GC-2006-0060 |
| | ) | |
| Laclede Gas Company, | ) | |
| Respondent. | ) | |

**OBJECTION TO POST-HEARING EXHIBIT OF LACLEDE GAS COMPANY**

Comes now USW Local 11-6 ("Local 11-6") and hereby submits this objection to the Post-Hearing Exhibit of Laclede Gas Company. In support thereof, Local 11-6 states as follows:

On May 22 and 23, 2006, the Commission held the hearing in the above-captioned matter. During said hearing, Local 11-6 submitted testimony regarding resolutions enacted by various political subdivisions objecting to the tariff revision sought by Laclede Gas Company ("Laclede"). In lieu of testimony from Laclede regarding said resolutions, Judge Dippell ruled that she would "let Laclede put in either a late filed exhibit, a list of the resolution hearings which they attended and which they were invited to that they did not attend, so that you have an opportunity to just clarify that for the record." (Tr. 405, lines 5-9, attached hereto as Exhibit 1).

Instead of filing a "list of the resolution hearings which they attend and which they were invited to that they did not attend" as specifically instructed by Judge Dippell, Laclede submitted a testimonial affidavit of Thomas A. Reitz which delved into detail regarding alleged impropriety during a council meeting with the City of St. Peters, regarding alleged short notice of the City of St. Charles council meeting, and regarding Laclede's complaint that it never received a copy of the proposed resolution from Local 11-6 prior its presentation

to any political subdivisions. Clearly, this testimony far exceeds the scope of the exhibit which Judge Dippell permitted Laclede to file. Further, because this testimonial affidavit has been filed by Laclede after the hearing, Local 11-6's attorneys are not free to cross-examine Laclede's witness or otherwise given an opportunity to rebut said testimony. Laclede had an opportunity to present this testimony at the hearing when Reitz was on the witness stand as a rebuttal witness and did not avail itself of that opportunity. It is prejudicial to Local 11-6 for the Commission to admit any information submitted by Laclede that falls outside the parameters which Judge Dippell delineated.

Therefore, Local 11-6 respectfully requests that the Commission strike the Affidavit of Thomas A. Reitz to the extent that it contains information beyond the scope which Judge Dippell stated should be introduced in the post-hearing affidavit. Specifically, the Commission should strike paragraph 2, paragraph 3 except for the enumerated list of municipalities and counties, paragraph 4, paragraph 5, and paragraph 6 from the affidavit.

Respectfully submitted,

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## Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served on June 8, 2006, by United States mail, hand-delivery, email, or facsimile upon:

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/s/ Sherrie A. Schroder

discuss this. They gave you three minutes unless -- to put on your case, and then they call you back up and inquire questions from you.

Q. All right. Did Laclede have the same amount of time at that hearing that you had to present information?

A. They had more time actually.

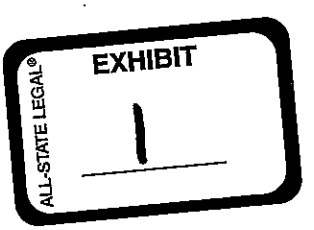
Q. All right. And I think that was the City of St. Peters. What about the County of St. Charles, how long did Laclede spend discussing this matter at the public hearing?

A. Well, they had the normal three to five minutes, whatever that county was, plus the questions that were asked from individual councilmen.

Q. All right. And again, overall, did Laclede have as much time to discuss this matter as you did at the hearing?

. . .

JUDGE DIPPELL: Okay. What I'm going to do with regard to the resolutions, which I'm probably going to regret, is I'm going to let Laclede put in either a late-filed exhibit, a list of the resolution hearings which they attended and which they were invited to that they did not attend, so that you have an opportunity to just clarify that for the record. Does that sound -- does that make sense?



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MS. SCHRODER: Yes, your Honor.

JUDGE DIPPELL: Okay. I'll let you-all just file that list, and I'll give Ms. Schulte (sic) a couple of days or something and the other parties to respond if they have any objection to it.

MS. SCHRODER: Did you just marry me off?

MR. SCHWARZ: No. I think you've been adopted.

Q. Mr. Schulte, which public hearings were you present at that Laclede testified at?

A. The City of St. Peters, the City of -- the County of St. Charles County.

...

A. City of Ballwin.

Q. How do you know Laclede was asked to testify?

A. Because there was two sets of hearings there, and I think the alderman, man's name was Lempke, he asked if anybody from Laclede was in the audience, and nobody stood up. So he said that Laclede should be

invited. Two weeks later when the next hearing was, I got up and testified for a short time. He -- and the city administrator asked if anybody from Laclede was in the audience, and nobody showed up. So that was basically it, and he said that Laclede was invited.

Q. All right. You also testified that Laclede appeared at the City of St. Peters public hearing and also at the County of St. Charles public hearing; is that right?

A. That's correct.

Q. All right. And who was that who appeared for Laclede?

A. It was Ben McReynolds, Rick Zucker, the attorney here. I think Tom Reitz had showed up at one of the hearings. I think that one was St. Peters.

Q. All right. And who's Ben McReynolds?

A. He's vice president over the -- oversees the service department.

Q. And who is Tom Reitz?

A. Tom Reitz is the department head over the service department.

Q. How long -- at the City of St. Peters, approximately how long did Laclede spend discussing this matter at the public hearing?

A. Well, they only allowed so much time to