

**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

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

ST. LOUIS NATURAL GAS PIPELINE LLC,))	
)	
Complainant,)	
)	
vs.)	File No: GC-2011-0294
)	
LACLEDE GAS COMPANY,)	
)	
Respondent.)	

**ST. LOUIS NATURAL GAS PIPELINE LLC'S
DATA REQUESTS DIRECTED TO LACLEDE GAS COMPANY**

COMES NOW Complainant St. Louis Natural Gas Pipeline LLC ("SLNGP"), pursuant to 4 CSR 240-2.090(2) and makes the following data requests to Laclede Gas Company to be answered within the time and manner prescribed by law.

Instructions and Definitions

These data requests and your responses are subject to the following:

1. The term "Laclede," "you" or "your" means Laclede Gas Company and any director, officer, employee, servant, agent, consultant, expert advisor or representative of them or their subsidiaries or affiliated companies, and any other person acting under their control or on their behalf.
2. Each Data Request is continuing in nature. If you acquire additional information with respect to data after any Data Request has been initially answered, you are required to supplement your response following the receipt of such additional information, giving the additional information to the same extent as originally requested.
3. In the event you assert that any data requested is privileged, you should identify any such data and any supporting documents in your written response and describe, with particularity, the grounds upon which any privilege is claimed.

4. As used in these Data Requests, the terms "document," "documents" and "documentary material" include, but are not limited to, the following items, whether printed, recorded, written or reproduced by hand: reports, studies, statistics, projections, forecasts, decisions and orders; intra-office and interoffice communications; correspondence; statements; returns; diaries; work papers; graphs; notebooks; notes; charts; computations; plans; drawings; sketches; computer printouts; summaries or records of meetings or conferences; summaries or reports of investigations or negotiations; opinions or reports of consultants; photographs; brochures; bulletins; pamphlets; books; articles; advertisements; circulars; press releases; graphic records, representations or publications of any kind (including microfilm, microfiche, videotape, and records, however produced or reproduced); electronic, mechanical and electrical records of any kind (including, without limitation, input/output files, source codes, object codes, program documentation, computer programs, computer printouts, cards, tapes, discs and recordings used in automated data processing together with the programming instructions and other material necessary to translate, understand, or use the same); all drafts, prints, issues, alterations, modifications, changes and amendments of the foregoing; and other documents or tangible things of whatever description which constitute or contain information within the scope of a Data Request and which are in your possession, custody or control.

5. The phrase "possession, custody or control" includes the joint and several possession, custody, or control not only by one or more of your employees or representatives, but also by each or any person acting or purporting to act on behalf of you or any of your employees or representatives, whether as an agent, independent contractor, attorney, consultant, witness, or otherwise.

6. For each Data Request answered, provide the name of the person or persons answering, the title of such person(s), and the name of the witness or witnesses who will be prepared to testify concerning the matters contained in each response or document produced.

7. “Communications” means verbal, written or electronic communications, including e-mails and text messages.

DATA REQUESTS

1. Describe in detail all meetings, communications and discussions of SLNGP’s proposal set forth in its letter of January 25, 2011, up to the time of issuing Laclede’s letter of January 28, 2011, denying SLNGP’s proposal. Provide a copy of all documents evidencing the same.

2. Describe in detail the “similar proposal by another party that had significantly greater experience operating pipelines than SLNGP” that Laclede “recently reviewed and rejected” as stated on page 2 of your Motion to Dismiss. Provide a copy of all documents evidencing the same.

3. Since December of 2010, describe all communications and actions of Laclede relating to the construction and/or operation of any pipeline to transport and deliver REX gas to be interconnected with Laclede’s distribution network. Provide a copy of all documents evidencing the same.

4. Describe all communications between any Laclede representative and any representative of Laclede Energy Resources (“LER”), MoGas, MRT-Centerpoint and/or Southern Star relating to:

- a. SLNGP’s pipeline proposal and project;
- b. Laclede’s decision not to grant an interconnection agreement to SLNGP;
- c. Laclede’s decision not to pursue a capacity agreement with SLNGP;

- d. The construction or expansion of any gas transport or supply infrastructure to deliver REX gas; and
 - e. Provide a copy of all documents evidencing the same.
5. Describe in detail the risk and/or disadvantage to Laclede, if any, of entering into an interconnection agreement with SLNGP contingent upon FERC approval of its pipeline. Provide a copy of all documents evidencing the same.
6. List and identify all requests for interconnection to Laclede during the past ten (10) years, the requesting party and Laclede's response to the request. Provide a copy of all documents evidencing the same.
7. Provide a copy of all interconnection agreements proposed to Laclede during the past ten (10) years from natural gas transport pipeline companies.
8. List and identify all pipeline transport companies interconnecting for the first time with Laclede during the past ten (10) years and provide a copy of each related interconnection agreement.
9. Provide a complete copy of all existing interconnection agreements and transport agreements between Laclede and all other directly-interconnected pipeline companies, including without limitation MRT-Centerpoint, Southern Star and MoGas.
10. Describe in detail all service interruptions relating to any transport pipeline directly-interconnected with Laclede during the past three (3) years, the reason for the interruption, Laclede's response to the interruption and the effect on consumers in terms of price and service. Provide a copy of all documents evidencing the same.
11. For MRT-Centerpoint, MoGas, Southern Star and any other directly-interconnected transporter, provide a copy of all documents reflecting, during the past three (3) years, infrastructure deficiencies of those pipelines posing any danger or potential danger to the

public or to gas supply integrity, including, without limitation, in relation to MRT's east line.

12. Provide a copy of all safety studies concerning the pipelines of MRT-Centerpoint, MoGas, Southern Star and of any other transport pipeline directly interconnected with Laclede.

13. Identify Laclede's existing transport customers, as referenced on page 2 of its Motion to Dismiss.

14. During the past three (3) years, please specify and/or identify:

- a. the annual volume of gas transported for each entity and/or gas purchaser charged Laclede's transport tariff;
- b. any Laclede transport customer not directly connected to Laclede's distribution network; and
- c. the volume and value of any off-system sales by Laclede; and
- d. provide a copy of all documents evidencing the same.

15. For MRT-Centerpoint, MoGas, Southern Star and any other directly-interconnected transporter, for the past three (3) years, state:

- a. Identity of the pipeline company;
- b. The annual volume of gas transported;
- c. The annual volume of REX gas transported to Laclede;
- d. The transport tariff paid by Laclede for REX gas;
- e. The transport tariff paid by Laclede to MoGas; and
- f. Provide a copy of all documents evidencing the same.

16. Provide a copy of all agreements between Laclede and MRT-Centerpoint, MRT and LER, LER and Laclede or any combination of those parties, reflecting MRT's purchase/buy-back of stranded capacity from Laclede and MRT's resale of such capacity to LER.

17. State all facts upon which Laclede bases its assertion that the cost of gas transported and delivered via SLNGP's pipeline will be greater than the cost of other REX gas

supplies it purchases. Provide a copy of all documents evidencing the same.

18. State the actual monthly or annual cost to Laclede of maintaining and monitoring each of its other transport pipeline interconnections. Provide a copy of all documents evidencing the same.

19. State whether costs of maintaining and monitoring existing transport pipeline interconnections are passed on to consumers in Laclede's rate base. Provide a copy of all documents evidencing the same.

20. State the estimated monthly or annual cost to Laclede of maintaining and monitoring an interconnection with SLNGP's proposed pipeline. Provide a copy of all documents evidencing the same.

21. Quantify the anticipated effect on Laclede's rate base of the added cost of monitoring an interconnection with SLNGP. Provide a copy of all documents evidencing the same.

22. Describe all benefits and costs to Laclede of SLNGP's pipeline project, assuming FERC approval. Provide a copy of all documents evidencing the same.

23. Provide a copy of all responses to data requests 001 to 009 from Staff to Laclede, which SLNGP incorporates herein by reference as data requests from SLNGP to Laclede.

24. For each data request hereinabove, and Staff's DRs 001 to 009, identify the Laclede employee or representative with the most detailed knowledge of the information and documents requested.

Respectfully submitted,

ARMSTRONG TEASDALE LLP

s/ Matthew D. Turner

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**ATTORNEYS FOR COMPLAINANT
ST. LOUIS NATURAL GAS PIPELINE LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was sent via e-mail and via first-class mail, postage prepaid, on this 6th day of June, 2011, to the following:

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