

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

In the Matter of the Application of)
Laclede Gas Company to Change its)
Infrastructure System Replacement) Case No. GO-2016-0332
Surcharge in its Missouri Gas)
Energy Service Territory)
)
)

In the Matter of the Application of)
Laclede Gas Company to Change its)
Infrastructure System Replacement) Case No. GO-2016-0333
Surcharge in its Laclede Gas Service)
Territory)

**RESPONSE OF LACLEDE GAS COMPANY
TO OPC’S DECEMBER 19 MOTION FOR
RECONSIDERATION OF PROCEDURAL REQUIREMENTS**

COMES NOW Laclede Gas Company (“Laclede” or “Company”), on behalf of itself and its Missouri Gas Energy (“MGE”) operating unit, and submits its Response to OPC’s Motion for Reconsideration of Procedural Requirements (the “OPC Reconsideration Motion”), and in support thereof states as follows:

1. In the OPC Reconsideration Motion, OPC requests the post-Rebuttal DR response deadline be shortened to three business days from four business days. Laclede asserts that a requirement to respond to DRs within three business days is unreasonable, and notes that the current requirement to respond to DRs within four business days while trying to prepare for a hearing during the holiday season is already an incursion on the ability to fairly process this case.

2. This difficult situation highlights the fact that, like Staff, OPC must be required to file a report on ISRS issues within the legally-mandated 60 day time period. OPC already knows that this is the case; OPC’s repeated opposition to the update process has hinged upon its

understanding that the 60 day deadline applies to OPC as well as Staff. For example, on page 15 of its brief in ISRS Case Nos. GR-2015-0341 and 0343, OPC states that it “does not oppose the May through June costs because the required detail was provided with the petition, and Public Counsel was provided the full statutory 60-day period to review these costs. (FN 8: Section 393.1015.1.2(2) RSMo provides for a 60-day review period following the filing of an ISRS petition.)”

3. As another example, in OPC’s second appeal of the ISRS update issue, OPC filed a brief on October 27, 2016, stating that “The ISRS statutes include a sixty-day review process with an additional sixty-days for the PSC to conduct a contested hearing if necessary.” (Case No. WD79830, OPC Brief, p. 28) OPC also stated that the “Legislature created a mechanism for public participation when it established a sixty-day review period and mandated the petitioning utilities serve OPC with the petition, rate schedules, and supporting documentation. (Id. at p. 34)

4. As stated by Laclede in its own December 19 response and motion, Laclede and Staff should not be penalized by OPC’s failure to meet this deadline, or by OPC’s claim that its filing was a “response” to Staff’s Recommendations.

5. Laclede renews its request that OPC’s December 9 Motion be rejected and that the Commission direct Laclede to file tariffs consistent with the Staff’s unopposed Recommendations.

WHEREFORE, for the foregoing reasons, Laclede Gas Company respectfully requests that the Commission deny OPC’s Reconsideration Motion, along with OPC’s December 9 Motion.

Respectfully submitted,

/s/ Rick Zucker

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Certificate of Service

I hereby certify that copies of the foregoing have been emailed to Staff and Public Counsel on this 20th day of December, 2016.

/s/Marcia Spangler