

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

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2004-2005) **Case No. GR-2005-0203**

In the Matter of Laclede Gas Company's)
Purchased Gas Adjustment for 2005-2006) **Case No. GR-2006-0288**

**STATUS REPORT
OF LACLEDE GAS COMPANY**

COMES NOW Laclede Gas Company ("Laclede" or "Company") and in response to the Commission's Order Directing the Parties to File Separate Status Updates, submits the following status report:

1. On November 7, 2011, the Commission issued its Order directing the parties to file status reports regarding their briefing efforts pertaining to documents that had been submitted into evidence in this case on November 4, 2010. Those documents dealt with information that had been supplied by Laclede in response to a Writ of Mandamus that, at the Commission's request, had been issued by the Circuit Court of Cole County pertaining to certain discovery issues involving Laclede and its affiliate, Laclede Energy Resources. *See* Case No. 10AC-CC00170.

2. Since the Commission issued its Order in January 2011 directing the parties to submit briefs on this matter if and when they chose to, Laclede has been focusing its resources on litigating and attempting to resolve other cases that have been initiated or that have continued to be pursued by the Staff or the Commission relating to the same subject matter. These include (a) a Staff complaint against Laclede alleging a violation of the Stipulation and Agreement in Case No. GM-2001-0342 (Case No. GC-2011-0006); (b) Laclede's appeal of the Commission Order granting summary disposition

in that matter (Circuit Court Case No. 11AC-CC00206); (c) Laclede's defense of the penalty proceeding initiated by the Commission as a result of that Order (Circuit Court Case No. 11AC-CC00320 (which has been held in abeyance pending the outcome of the 206 proceeding); and (d) a Staff complaint against Laclede alleging, among other things, that the Company's Cost Allocation Manual does not comply with the Commission's affiliate transactions rules (Case No. GC-2011-0098).

3. As the Staff has noted in its Status Reports filed in Case No. GC-2011-0098, the parties have made substantial progress in their efforts to resolve the issues in that case. It is Laclede's hope that such progress will continue and eventually lead to an overall settlement that will moot or resolve all of these proceedings and Laclede believes it is appropriate to direct its resources toward that end. Accordingly, Laclede would have no objection if the Commission wishes to hold in abeyance any further litigation in the above proceedings pending the outcome of the parties negotiations in Case No. GC-2011-0098. Laclede believed that Staff was of the same view regarding how these matters should proceed, but in light of the pleading filed by the Staff today (*see* Staff's Response to Order Directing Filing), the Company is no longer sure that such is the case.

4. Accordingly, Laclede will consult with Staff, and Laclede reserves its right thereafter to submit a response to Staff's pleading and any filing that OPC may make. It is sufficient to note here that Laclede strongly disagrees with Staff's assertion that Laclede has failed and refused to provide to Staff LER documents as ordered by the Commission and by the Circuit Court of Cole County, Missouri. In fact, in its Writ of Mandamus, the Circuit Court was very clear that Laclede Gas Company was required to produce only that information that was in Laclede Gas Company's possession, custody or

control. The undisputed evidence from the November 4, 2010 hearing demonstrates that Laclede Gas Company has fully and completely complied with that judicial instruction. Any claim to the contrary has no basis in either law or fact.

WHEREFORE, Laclede Gas Company respectfully requests that the Commission accept this Status Report.

Respectfully submitted,

/s/ Michael C. Pendergast

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ATTORNEYS FOR LACLEDE GAS
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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing pleading was served on the parties to this case on this 18th day of November, 2011, by hand-delivery, e-mail, fax, or by United States mail, postage prepaid.

/s/ Gerry Lynch

