

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 17th day
of August, 2011.

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>File No. GC-2011-0339</u>
)	
Southern Union Company, d/b/a)	
Missouri Gas Energy,)	
)	
Respondent.)	

ORDER APPROVING UNANIMOUS STIPULATION AND AGREEMENT

Issue Date: August 17, 2011

Effective Date: August 27, 2011

On April 12, 2011, the above-referenced complaint was filed. The Commission issued notice to Southern Union Company, d/b/a Missouri Gas Energy ("MGE"), who timely filed an Answer and a Motion to Dismiss.

On August 5, MGE, the Staff of the Commission ("Staff"), the Office of the Public Counsel ("OPC") and the Missouri Department of Natural Resources ("DNR") filed a Unanimous Stipulation and Agreement. The parties agreed upon how to resolve future issues when MGE's Energy Efficiency Collaborative ("EEC") is unable to reach consensus.

The Commission has the legal authority to accept a stipulation and agreement to resolve a case.¹ The Commission notes that "[e]very decision and order in a contested case shall be in writing and, except in default cases or cases disposed of by stipulation,

¹ See Section 536.060, RSMo 2000.

consent order or agreed settlement . . . shall include . . . findings of fact and conclusions of law.”² Consequently, the Commission need not make findings of fact or conclusions of law in this order.

The Commission has reviewed the Unanimous Stipulation and Agreement. The Commission finds that it should be approved.

THE COMMISSION ORDERS THAT:

1. The Unanimous Stipulation and Agreement is approved.
2. Southern Union Company d/b/a Missouri Gas Energy, the Staff of the Commission, the Office of the Public Counsel, and the Missouri Department of Natural Resources (“DNR”) shall comply with the terms of the Unanimous Stipulation and Agreement.
3. This order shall become effective on August 27, 2011.
4. This file shall be closed on August 28, 2011.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Gunn, Chm., Davis, Jarrett,
and Kenney, CC., concur.

Pridgin, Senior Regulatory Law Judge

² Section 536.090, RSMo 2000.