

Missouri Public Service Commission

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2651 (9-01)

Missouri Public
Service Commission

JUN 2 2009

FILED

William Halsey
RR 3
Cole Camp, MO 65325

FIRST CLASS



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

In the Matter of the Application of Missouri Gas Utility, Inc.,)
for a Certificate of Convenience and Necessity Authorizing)
it to Construct, Install, Own, Operate, Control, Manage,) **File No. GA-2009-0422**
and Maintain a Distribution System to Provide Gas Service)
in Benton County, Missouri, as a New Certificated Area.)

**ORDER DIRECTING NOTICE, SETTING DATE FOR SUBMISSION
OF INTERVENTION REQUESTS, AND DIRECTING FILING**

Issue Date: May 27, 2009

Effective Date: May 27, 2009

On May 22, 2009, Missouri Gas Utility, Inc. (MGU), filed an application with the Missouri Public Service Commission requesting that the Commission grant MGU authority to provide natural gas service to customers in Benton County, Missouri. This application is in conjunction with the previously granted authority from Case No. GA-2009-0264. MGU is requesting additional authority because of a change in the route of the main line for service to Cole Camp. Thus, MGU requests that the Commission grant it additional service territory in Benton County. In addition, MGU requests that the authority be granted no later than August 1, 2009.

The Commission finds that notice of MGU's application should be given to the general public and potential interested parties and that a date for intervention of proper parties should be set. The Commission's Data Center shall mail a copy of this notice to the county commission of Benton County. The Data Center shall also send a copy of this notice to the landowners listed in Appendix B of the application. In addition, the Commission's public information officer shall make notice of this order available to the media

serving Benton County and to the members of the General Assembly representing Benton County.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention and neither the Staff of the Commission nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and decide the case on the basis of the verified application and Staff recommendation.

In addition, because the company has asked for expedited treatment, the Commission directs its Staff to respond to that motion and will set a time for any other response to the motion for expedited treatment and the application.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall mail a copy of this notice to the county commission of Benton County and the landowners listed in Appendix B of the application.
2. The Missouri Public Service Commission's public information officer shall make notice of this order available to the media serving Benton County and to the members of the General Assembly representing Benton County.
3. Any person wishing to intervene in this matter shall file an application to do so no later than June 16, 2009. Such applications shall be filed with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

with a copy served on:

Dean L. Cooper
Brydon, Swearingen & England P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102-0456
ATTORNEY FOR MISSOURI GAS UTILITY, INC.

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. Any response to the motion for expedited treatment shall be filed no later than June 8, 2009.

5. The Staff of the Missouri Public Service Commission shall file a recommendation regarding the application or a status report indicating the earliest date on which it expects to file a status report no later than June 16, 2009.

6. Any response to the report or recommendation filed by the Staff of the Missouri Public Service Commission shall be filed no later than ten days following the filing of that report or recommendation unless otherwise ordered.

7. This order is effective upon issuance.

(SEAL)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 27th day of May, 2009.

BY THE COMMISSION



Colleen M. Dale
Secretary

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 28th day of May 2009.



A handwritten signature in dark ink, appearing to read "Colleen M. Dale", written over a horizontal line.

Colleen M. Dale
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 28, 2009

File No. GA-2009-0422

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

County of Benton, Missouri
County Commission Clerk
316 Van Buren Street - Benton
County Courthouse
P.O. Box 1238
Warsaw, MO 65355

Missouri Gas Utility, Inc.
Dean Cooper
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102

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21738 Hwy 65
Lincoln, MO 65338

Josh Young
21539 Coffey Rd
Lincoln, MO 65338

Enclosed find a certified copy of an ORDER in the above-numbered matter(s).

Sincerely,



**Colleen M. Dale
Secretary**