

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public
Service Commission,

Complainant,

v.

Missouri Pipeline Company, LLC, and
Missouri Gas Company, LLC,

Respondents.

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Case No. GC-2006-0491

ORDER FINDING GOOD CAUSE FOR THE ISSUANCE OF A
SUBPOENA

Issue Date: December 11, 2006

Effective Date: December 11, 2006

On December 8, 2006, the Commission's Staff filed a motion asking the Commission to waive application of a Commission rule to issue a subpoena to allow Staff the opportunity to obtain rebuttal testimony from an employee of the City of Cuba. Staff's motion explains that it may need to present the testimony of a witness from the City of Cuba to rebut possible testimony from a witness for Missouri Pipeline Company, LLC and Missouri Gas Company, LLC, alleging that the contract between Omega Gas Company and the City of Cuba was modified or amended by verbal agreement or through a course of dealing.

Commission Rule 4 CSR 240-2.100(2) provides that except for a showing of good cause, a subpoena is not to be issued fewer than twenty days before a hearing. The

hearing of this case is set to begin on December 13. Therefore, Staff seeks a waiver of that rule to allow the requested subpoena to be issued fewer than twenty days before the hearing.

The Commission's rule allows for the issuance of a subpoena less than twenty days before a hearing if good cause is shown. The Commission finds that Staff has shown good cause for the issuance of such subpoena so that it will be in a position to rebut the testimony that may be offered by the Respondents. Since Staff has shown good cause as required by the regulation, Staff has complied with the regulation's terms and there is no need to waive the regulation.

IT IS ORDERED THAT:

1. The Commission's Staff having shown good cause for doing so, the Commission will issue the subpoena that Staff has requested.
2. This order shall become effective on December 11, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of December, 2006.