

**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 and Maintain a)
Natural Gas Distribution System to Provide Gas)
Service in Harrison County, Missouri, as a)
Further Expansion of Its Existing Certified Area.)

Case No. GA-2008-0321
YG-2009-0025

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Recommendation, states as follows:

1. On July 7, 2008, Missouri Gas Utility, Inc. (MGU) filed tariff sheets with the Commission to comply with the Commission's *Order Granting Certificate of Public Convenience And Necessity* issued June 19, 2008. On July 11, 2008, MGU filed substitute tariff sheets that make modifications to MGU's tariff to the description of MGU's service area in the heading (the counties are listed instead of certain municipalities). Also, the map on Sheet No. 3 contains a change to better identify the location of Pattonsburg. The proposed tariff has the required 30 days notice by proposing an effective date of August 6, 2008.

2. On July 8, 2008, the Commission issued its *Order Directing Filing*, directing the Staff to file its recommendation on the tariff filing by July 28, 2008. The Staff has completed its review of MGU's tariff sheets and has determined the proposed tariff sheets comply with the Commission's Order. For the reasons stated in Staff's Memorandum, attached hereto as Appendix A and incorporated by reference, the Staff recommends MGU's tariff sheets filed on

July 8, 2008, and as substituted on July 11, 2008, be allowed to become effective on August 6, 2008.

WHEREFORE, for the above-stated reasons, Staff respectfully recommends the Commission allow MGU's tariff sheets become effective by operation of law on August 6, 2008.

Respectfully submitted,

/s/ Robert S. Berlin

Robert S. Berlin
Senior Counsel
Missouri Bar No. 51709

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-7779 (Telephone)
(573) 751-9285 (Fax)
email: bob.berlin@psc.state.mo.us

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record 25th day of July 2008.

/s/ Robert S. Berlin

MEMORANDUM

TO: Missouri Public Service Commission Official Case File,
Case No. GA-2008-0321, File No. YG-2009-0025, Missouri Gas Utility, Inc.

FROM: James A. Gray, Energy Department - Tariffs/Rate Design

<u>/s/ Thomas M. Imhoff</u> 07/24/08 Energy Department/Date	<u>/s/ Robert S. Berlin</u> 07/24/08 General Counsel's Office/Date
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SUBJECT: Staff Recommendation On Tariff Sheets Filed to Comply With Commission Order.

DATE: July 24, 2008

On July 7, 2008, Missouri Gas Utility, Inc. (MGU or Company), filed tariff sheets with the Missouri Public Service Commission (Commission) to comply with the Commission's ORDER GRANTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (Order), issued June 19, 2008, in this case. On July 11, 2008, MGU filed substitute tariff sheets. The substitute sheets make modifications to MGU's tariff to the description of MGU's service area in the heading (the counties are listed instead of certain municipalities), and the map on Sheet No. 3 also contains a change to better identify the location of Pattonsburg. The proposed tariff has the required 30 days notice by proposing an effective date of August 6, 2008.

The three tariff sheets were also filed in Case Nos. GA-2008-0322 and GA-2008-0348 to comply with the Commission's ORDER DIRECTING FILING in those cases.

On April 4, 2008, MGU filed an APPLICATION (Application) with the Commission. The Application requested that the Commission grant MGU a certificate of convenience and necessity (CCN) authorizing it to construct, install, own, operate, control, manage and maintain a natural gas distribution system to provide gas service in Harrison County, Missouri, as a further expansion of its existing certified area. On May 6, 2008, the Commission issued an ORDER DIRECTING FILING, directing the Commission's Staff (Staff) to file its Staff Recommendation by June 5, 2008. On June 5, 2008, Staff filed its Staff Recommendation. On June 19, 2008, the Commission issued its ORDER GRANTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. On July 8, 2008, the Commission issued its ORDER DIRECTING FILING, directing the Staff to file its recommendation on the tariff filing by July 28, 2008.

Staff has reviewed the tariff sheets filed by MGU and has determined that the proposed tariff sheets comply with the Commission's Order. Staff has verified that MGU has filed its annual report and is not

delinquent on any assessment. Staff recommends that the following tariff sheets filed on July 8, 2008, and as substituted on July 11, 2008, be allowed to become effective on August 6, 2008:

P.S.C. MO. No. 1

2nd Revised SHEET No. 2, Cancelling 1st Revised SHEET No. 2

2nd Revised SHEET No. 3, Cancelling 1st Revised SHEET No. 3

3rd Revised SHEET No. 4, Cancelling 2nd Revised SHEET No. 4

