

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 Transmission Line and a Distribution)
System to Provide Gas Service in Greene, Polk and Dallas)
Counties, Missouri, as a New Certificated Area)

File No. GA-2010-0189

CORRECTED NOTICE OF APPLICATION, AND ORDER REGARDING MOTIONS FOR INTERVENTION AND STAFF'S RECOMMENDATION

Issue Date: December 28, 2009

Effective Date: December 28, 2009

The Commission is giving notice of the application that is the subject of this action ("application"), setting a deadline for motions to intervene, and directing the Commission's staff ("Staff") to file its recommendation on the application.

Missouri Gas Utility, Inc., filed the application on December 22, 2009, seeking the Commission's permission and approval to construct gas facilities and provide gas service. The application includes legal descriptions locating such proposed construction and service and the names of ten persons residing or owning land in the proposed service area.

The statutory requirement of a "due hearing"¹ allows the Commission to grant an unopposed application without convening a hearing.²

¹ Section 393.170, RSMo 2000.

² *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall serve this notice and order on the Greene County Commission, the Dallas County Commission, the Polk County Commission, and the persons listed in the application.

2. The Commission's information officer shall make this notice and order available to the members of the Missouri General Assembly whose districts include the proposed service area described in the application, and media serving the proposed service area.

3. Any motion for intervention is due no later than January 12, 2010. Any such filing shall be mailed to:

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

or transmitted through the Commission's electronic filing and information service.

4. No later than January 27, 2010, Staff shall file its recommendation as to the application.

5. This order shall become effective immediately upon issuance.

(S E A L)

Daniel Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of December 2009.

BY THE COMMISSION



Steven C. Reed
Secretary