

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

Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
v.)	Case Nos. GC-2006-0378 and
)	GC-2006-0491
Missouri Pipeline Company, LLC,)	
Missouri Gas Company, LLC, et. al.)	
)	
Respondents.)	

**MOTION TO DECLASSIFY DATA REQUEST
AND SUBPOENA RESPONSES**

COMES NOW the Missouri Public Service Commission Staff and for its Motion to Declassify Data Request and Subpoena Responses states as follows:

1. The materials the Staff is requesting be declassified are the company-specific recreated bills of Omega Pipeline Company (Omega), AmerenUE and Laclede Gas Company (Laclede) and natural gas transportation nomination and delivery reports provided by Missouri Pipeline Company (MPC) and Missouri Gas Company (MGC) during the proceedings as its response to data requests and subpoenas issued by the Staff in Commission Case Numbers GC-2006-0378 and GC-2006-0491.

2. Staff is requesting the Commission declassify the Omega's recreated invoices so that Ameren gas buyers may compare the Ameren recreated invoices to the actual invoices Omega sent Ameren. Likewise, Staff proposes that Laclede gas supply personnel be able to compare Omega's recreated invoices with the invoices Omega actually sent to Laclede. The recreated invoices marked as Highly Confidential are by rule not available to anyone other than counsel and outside experts for each utility

company even though employees of each utility would have received the original invoices.

3. Staff is not requesting anyone other than Laclede employees view the recreated invoices submitted to Laclede or that anyone other than Ameren view the recreated invoices sent to Ameren, so the request to release is limited in scope to information Omega provided to the Commission about a specific customer be released only to employees of that customer.

4. Specifically, Staff requests that the recreated invoices for AmerenUE and Laclede be declassified so that these documents may be shared with each respective Missouri LDC's technical personnel to verify and reconcile data with the actual natural gas nominations and deliveries for the periods under review.

5. This information is necessary for the Staff to complete its investigation in the Federal Energy Regulatory Commission (FERC) Docket Number CP07-450, *MoGas Request for Authorization under Blanket Certificate* because information included in the documents provides support for the actual nominations and deliveries on MoGas during days that Laclede has indicated MoGas could not deliver the gas it had nominated.

6. The Staff may also need to include the recreated invoices in future FERC filings to demonstrate what customer is responsible for costs associated with the purported need for compression. In that event, the declassified information pertaining to Omega, AmerenUE and Laclede would be classified as confidential in any FERC filing.

7. The Staff also requests declassification of MPC/MGC's responses to GC-2006-0378 Data Request Nos. 1 and 2. Data Request No.1 contains monthly reports of daily nominations of natural gas transported through Panhandle and delivered to each

MPC/MGC customer. MPC/MGC's response to GC-2006-0378 Data Request No. 2 contains similar information for MPC/MGC customer nominations through the CenterPoint Energy-Mississippi River Transmission Company. This information is needed to verify and reconcile the MPC/MGC documents with the Missouri LDCs actual natural gas transportation nominations and deliveries.

8. The Staff's April 12, 2006 subpoena to MPC/MGC in Case No. GC-2006-0491 led to David Ries' recreation of customer invoices pertaining to gas nominations, deliveries and charges to Missouri LDCs that occurred from January 2004 through June 2006. Some of the information is over four years old and is in the Staff's view, no longer relevant because of the passage of time and the fact that effective June 1, 2008 MPC/MGC are regulated as MoGas under FERC jurisdiction and tariff rates. The nominations, deliveries and charges have little if any current relevance. In further consideration of the competitive nature of the information contained in the recreated invoices and reports, the Staff is asking that the Commission limit its declassification of the data request and subpoena responses. The information pertaining specifically to AmerenUE and Laclede could be declassified for their review only and the entire responses provided to FERC under seal.

9. The recreated invoices that the Staff is asking be declassified were received after Staff's filing of a motion to compel and a prehearing conference at which David Ries represented that actual customer invoices were not maintained by MPC/MGC, that he would recreate the invoices and provide them to the Staff. The Case No. GC-2006-0491 Surrebuttal Testimony of Staff witness Robert Schallenberg contains

the recreated invoices of Omega (Schedules D, E and F) Laclede (Schedule G) and AmerenUE (Schedule H).

10. In FERC Docket Number CP07-450 MoGas and Laclede have suggested there may be reliability issues concerning pipeline pressures and deliverability of gas to certain customers based upon alleged Panhandle Eastern Pipe Line Company pressure decreases on eleven days over a four year period. Staff questions whether the problem was on Panhandle Eastern or was the result of MoGas under-nominating deliveries which may have resulted in MoGas not being able to deliver all of the gas Laclede had nominated.

11. In order to decide whether or not to support MoGas' contention it needs compression to assure reliability, Staff needs to verify specific information related to nominations and delivery of natural gas to Missouri LDCs transporting gas through MPC/MGC during 2004-2005.

12. Since the information contained in the data request responses in Case No. GC-2006-0378 were classified as highly confidential neither AmerenUE nor Laclede technical staff have been able to view the information provided pertaining to their specific LDC and verify whether the recreated invoices are accurate.

13. Staff specifically wants to be able to share the information pertaining to AmerenUE and Laclede with the technical personnel of each Missouri LDC so that information in the responses can be verified and reconciled with the actual data maintained by the LDCs. None of the other customer specific information will be provided to AmerenUE or Laclede. Omega's recreated invoices would only be provided

to FERC or FERC Staff in proceedings in FERC Docket Number CP07-450 or future FERC cases in which the information was relevant.

14. The Staff has communicated with AmerenUE and Laclede Counsel its desire to declassify the above mentioned data requests and subpoena responses and neither LDC have expressed a concern with the Staff's request.

WHEREFORE, the Staff respectfully requests that the Commission provide limited declassification of Case No. GC-2006-0378 Data Request 1 and 2 and Case No. GC-2006-0491 Schallenberg Surrebuttal Schedules D through H.

Respectfully submitted,

/s/ Lera L. Shemwell

Lera L. Shemwell
Deputy General Counsel
Missouri Bar No. 43792

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-7431 (Telephone)
(573) 751-9285 (Fax)
lera.shemwell@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 14th day of July 2008.

/s/ Lera L. Shemwell

Lera L. Shemwell