

# 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 Distribution System to Provide Gas Service in ) **File No. GA-2010-0012**  
Benton, Morgan, Camden and Miller Counties in Missouri, )  
as a New Certificated Area. )

## THIRD SUPPLEMENTAL NOTICE OF APPLICATION AND ORDER SETTING DEADLINE FOR INTERVENTION

Issue Date: July 30, 2009

Effective Date: July 30, 2009

The Commission is giving notice of the application to persons listed in the Second Supplement to Application ("second supplement") that Missouri Gas Utility, Inc., ("MGU") and setting a deadline for motions to intervene.

MGU filed the application described in the title of this action ("application") on July 9, 2009. The application seeks the Commission's permission and approval to construct gas facilities and provide gas service. Legal descriptions ("proposed service area") locating such proposed construction and service appear in the application's paragraph 8 and appendix A. The names of ten persons residing or owning land in the proposed service area appears in paragraph 13. As to two such persons, MGU filed the third supplement on July 29, 2009, setting forth substitutes.

The Commission will order service of this notice and order on such substitute persons. The Commission has already ordered its staff to file a recommendation on the

application. The statutory requirement of a “due hearing”<sup>1</sup> allows the Commission to grant an unopposed application without conducting a hearing.<sup>2</sup>

**THE COMMISSION ORDERS THAT:**

1. The Commission’s Data Center shall serve this notice and order on the persons for whom an address is listed in paragraph 2 of the Third Supplement to Application.

2. Any person described in ordered paragraph 1 may file a motion for intervention by sending the motion to:

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

or by using the Commission’s electronic filing and information service. Any such motion is due no later than August 31, 2009.

3. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( 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 30<sup>th</sup> day of July 2009.

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<sup>1</sup> Section 393.170, RSMo 2000.

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