

*Missouri Public Service Commission*

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2651 (9-01)

Box  
D-2

Where?



Bernard Perry  
5082 Summerset Circle  
Osage Beach, MO 65065-2737

FIRST CLASS



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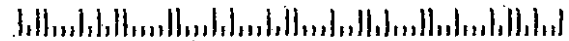
Missouri Public  
Service Commission

SEP 16 2009

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## 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. )

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

Issue Date: July 24, 2009

Effective Date: July 24, 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, and 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 second supplement on July 24, 2009, setting forth substitutes. The Commission has 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, at the addresses, listed in paragraph 2 of the Second Supplement to Application.

2. Any person listed in paragraph 2 of the Second Supplement to Application choosing to file a motion for intervention shall send the motion to:

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

or use the Commission's electronic filing and information service. Any such motion is due no later than August 24, 2009.

3. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

(SEAL)

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

Dated at Jefferson City, Missouri,  
on this 24<sup>th</sup> day of July 2009.

<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).

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 27<sup>th</sup> day of July 2009.**



A handwritten signature in black ink, appearing to read "Steven C. Reed", written over a horizontal line.

**Steven C. Reed**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 27, 2009**

**File No. GA-2010-0012**

General Counsel's Office  
P.O. Box 360  
200 Madison Street, Suite 800  
Jefferson City, MO 65102

Lewis R. Mills, Jr.  
P.O. Box 2230  
200 Madison Street, Suite 650  
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Missouri Gas Utility, Inc.  
Dean Cooper  
312 East Capitol  
P.O. Box 456  
Jefferson City, MO 65102

Bernard Perry  
5082 Summerset Circle  
Osage Beach, MO 65065-2737

Charles Brown  
3851 Meadow Lane  
Osage Beach, MO 65065-2737

***Enclosed find a certified copy of an ORDER in the above-numbered matter(s).***

***Sincerely,***



**Steven C. Reed  
Secretary**