

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED⁴

MAY 15 2006

Staff of the Missouri Public Service)
Commission)

Complainant,)

v.)

Missouri Pipeline Company, LLC;)
Missouri Gas Company, LLC; Omega)
Pipeline Company, LLC; Mogas Energy,)
LLC; United Pipeline Systems, Inc; and)
Gateway Pipeline Company, LLC,)

Respondents.)

Missouri Public
Service Commission

Case No. GC-2006-0378

**RESPONDENT OMEGA PIPELINE COMPANY'S RESPONSE TO STAFF'S
MOTION TO COMPEL DISCOVERY AND FOR EXPEDITED PROCEEDINGS**

COMES NOW Omega Pipeline Company, LLC ("Omega"), by and through the undersigned counsel, and respectfully responds to the Staff's Motion to Compel Discovery and for Expedited Treatment. There is no basis for the Staff's Motion to compel discovery or for expedited treatment in this matter. There can be no grounds to compel discovery of the Respondents when Staff has failed to comply with even the most basic of procedures required of it by applicable statute and regulations. Therefore, the Missouri Public Service Commission (hereafter "Commission") should deny Staff's motion accordingly. In support of this motion, Respondent Omega states as follows:

1. As set forth in the Response to the Motion to Compel filed by Respondents Missouri Pipeline Company, LLC, Missouri Gas Company, LLC, Mogas Energy LLC, United Pipeline Systems, Inc. and Gateway Pipeline Company, LLC, (filed on May 15, 2006), which is incorporated by reference herein in its entirety, Staff has wholly failed to comply with the procedural prerequisites for their present motion, and in

particular has failed to demonstrate any good faith consultation with Respondents regarding the scope of the requested discovery.

2. As set forth in the Answer of Omega, and in the Answers of the other Respondents, incorporated by reference fully herein, and in the Response to this Motion to Compel, by the other Respondents, the Staff has proceeded in an unorthodox and unlawful fashion by commencing this action on its own claimed authority, and not seeking the authority of the Commission prior to commencing this action. Acting in a similarly autocratic fashion, Staff has proceeded with a motion to compel, and even asked for sanctions, despite the fact that the Respondents have pending Motions to Quash the subpoenas. Staff cites no authority for its irrational and punitive position that the Respondents are not entitled to any hearing on their Motions to Quash prior to being subject to sanctions. Instead, it appears that Staff is asking for sanctions so it does not have to justify the scope of the subpoenas and have those subpoenas be subject to a principled ruling on the Motions to Quash by this Commission.

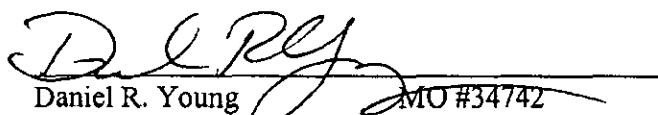
3. As set forth in Omega's Motion to Dismiss and to Quash, filed April 22, 2006, which is incorporated fully herein, Staff has proceeded against Omega on a faulty legal premise that Omega can be deemed a "gas corporation" subject to the full regulatory powers of the Commission. Staff's premise is absolutely barred under federal law because Omega provides gas service only upon the grounds of the federal enclave at Fort Leonard Wood, and because the inquisitory powers over affiliated entities are more limited than the inquisitory powers over regulated entities. As a result of its erroneous legal positions, Staff has demanded information from Omega which relates to its own business, and not to the business of the properly regulated Respondents. The present

subpoenas concerning Omega's business, and Staff's attempts to interfere with Omega's business through ex parte contacts with Omega's customers, are beyond the scope of Staff's proper regulatory powers. There has been no showing that properly requested information relating to affiliate transactions to which Omega is a party have not already been obtained from the regulated entities.

WHEREFORE, Respondent respectfully requests this Commission to deny Staff's Motion to Compel Discovery and for Expedited Proceedings.

Respectfully submitted,

EDGAR LAW FIRM LLC

A handwritten signature in cursive script, appearing to read "D. R. Young", is written over a horizontal line. To the right of the signature, the text "MO #34742" is written.

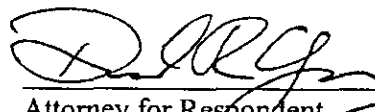
Daniel R. Young
4520 Main Street, Suite 1650
Kansas City, MO 64111
Telephone: (816) 531-0033
Facsimile: (816) 531-3322

ATTORNEY FOR RESPONDENT
OMEGA PIPELINE COMPANY, LLC

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Answer to Complaint has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 15th day of May, 2006, to:

Name of Company Name of Party	Email Phone Fax	Mailing Address	Street Address	City	State	Zip
Missouri Public Service Commission General Counsel	GenCounsel@psc.mo.gov 573-751-1248 573-751-1928	200 Madison Street, Suite 800	P.O. Box 360	Jefferson City	MO	65102
Office Of The Public Counsel Mills R Lewis	opcservice@ded.mo.gov 573-751-1130 573-751-1556	200 Madison Street, Suite 650	P.O. Box 2230	Jefferson City	MO	65102
Missouri Public Service Commission Schwarz Tim	Tim.Schwarz@psc.mo.gov	200 Madison Street, Suite 800	P.O. Box 360	Jefferson City	MO	65102
Missouri Public Service Commission Shemwell Lera	Lera.Shemwell@psc.mo.gov	200 Madison Street, Suite 800	P.O. Box 360	Jefferson City	MO	65102
Respondents Missouri Pipeline Company, LLC, Missouri Gas Company, LLC, Mogas Energy, LLC, United Pipeline Systems, LLC and Gateway Pipeline Company, LLC. DeFord Paul S.	pdeford@lathropgage.com 816-292-2000 816-292-2001	2345 Grand Boulevard, Suite 2800		Kansas City	MO	64108
Union Electric Co Byrne Thomas M	TByrne@Ameren.com 314-554-2514 314-554-4014	1901 Chouteau Avenue	P.O. Box 66149 (MC 1310)	St. Louis	MO	63166-6149
Federal Executives Agencies Rohrer Jeffrey H	Jeffrey.H.Rohrer@US.Army.Mil 573-596-0626 573-596-0632	125 E 8th St		Ft Leonard Wood	MO	65473-8942



 Attorney for Respondent
 Omega Pipeline Company, LLC