

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

In the Matter of Summit Natural Gas of )	
Missouri, Inc.'s Proposed Conversion )	<b><u>Case No. GO-2013-0360</u></b>
Program Extension )	Tariff No. JG-2013-0300

**STAFF EXPLANATORY FILING**

**COMES NOW** the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), through the undersigned counsel, and respectfully states as follows:

1. In the Commission's *Order Suspending Tariff and Setting Procedural Schedule* issued herein on February 13, 2013, the Commission adopted the Joint Procedural Schedule Proposal filed on February 11, 2013 by Summit Natural Gas ("Summit") of Missouri, Inc., the Office of the Public Counsel ("OPC"), and Staff. Pursuant to the ordered procedural schedule, Rebuttal Testimony is due on March 20, 2013.

2. Staff is aware that on March 20, 2013<sup>1</sup>, Summit filed a Notice of Withdrawal of Tariff Sheet and Motion for Leave to Dismiss Application ("Withdrawal and Motion") in this case. However, pursuant to Commission Rule 4 CSR 240-2.116(1), once prepared testimony has been filed in a case, an applicant may dismiss an action only by leave of the Commission (or written consent of all parties). Summit has previously filed its Direct Testimony in this case; therefore, leave of the Commission is required to dismiss.

3. Since leave of the Commission is required to dismiss this case, the Procedural Schedule Order is still in effect and provides for Rebuttal Testimony to be

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<sup>1</sup> Staff first became aware of Summit's intent to file a Notice of Withdrawal of Tariff Sheet and Motion for Leave to Dismiss Application on the morning of March 20, 2013, after Staff's Rebuttal Testimony had been finalized.

filed on March 20, 2013. Therefore, Staff is filing its Rebuttal Testimony pursuant to the currently effective order of the Commission. However, the fact that Staff is filing its Rebuttal Testimony in this case should not be interpreted as opposition to Summit's Withdrawal and Motion; Staff does not oppose Summit's Withdrawal and Motion.

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

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### **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 20<sup>th</sup> day of March, 2013.

**/s/ Jeffrey A. Keevil**