

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

In the Matter of the Application of U.S.)
Energy Services, Inc. for Certification as a)
Seller of Energy Services in the State of)
Missouri

Case No. GA-2009-0384

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and in response to the Commission’s April 27, 2009 Order Directing Staff to File Recommendation states:

1. On April 24, 2009, U.S. Energy Services, Inc. filed its Application for Certification as a Seller of Energy Services.

2. The Application for certification as a seller of energy services is available to the public on the Commission’s website.

3. As a result of Staff’s investigation, also available on the Commission’s website under the “Natural Gas” section is Policy Considerations Energy Sellers Report - GO-2004-1095, with supporting Appendix A “Staff’s Legal Memorandum on Energy Sellers”, in which Staff recommends that the Commission no longer issue such Certificates because “certification of ‘upstream’ transactions is not required and the evidence that downstream passage of title is not occurring...” makes certification unnecessary.

4. If the Commission has any questions about Staff’s Energy Sellers Report in Case No. GO-2004-1095, Staff would be happy to answer them.

5. Staff notes it may be confusing to prospective energy sellers for the application to be available on the website when no application is necessary.

6. Under the circumstances noted above, Staff recommends the Commission inform U.S. Energy of the Commission Staff's analysis and the Commission's conclusion that U.S. Energy is not required to obtain Certification under the Commission's reading of the energy seller's statute (Section 393.297 - .302 RSMo 2000).

WHEREFORE Staff suggests the Commission inform U.S. Energy it need not obtain a Certificate at this time.

Respectfully submitted,

/s/ Robert S. Berlin

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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 7th day of May 2009.

/s/ Robert S. Berlin