

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

Michael E. McKinzy, Sr.,
Complainant,
v.
Missouri Gas Energy,
Respondent.

Case No. GC-2003-0579

CONCURRING OPINION OF CHAIRMAN STEVE GAW

I concur in the analysis and result in this opinion. However, regardless of the interpretation of this tariff, no tariff should be allowed which purports to transfer the debt for a service of one individual to a second individual who has received no benefit for the service, has not consented to liability for the debt, and had no relationship to the debtor at the time the service was rendered. To so allow would be contrary to our rules of law and equity. Yet company appears to be arguing that Mr. McKinzy should be liable for a debt his wife incurred long before their marriage or relationship. Hypothetically, if Mr. McKinzy's relationship with his wife were to terminate there is no indication that MGE would remove the debt from his bill. Such a result is at a minimum against the public interest and should not be allowed.

Respectfully submitted,

Steve Gaw, Chairman

Dated at Jefferson City, Missouri,
on this 12th day of August, 2004.