

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 11th day
of October, 2007.

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	
)	
Missouri Gas Energy, a Division of Southern Union Company,)	
)	
)	
Respondent.)	

Case No. GC-2008-0026, et al.

**ORDER APPROVING SETTLEMENT AGREEMENT
AND SATISFACTION OF COMPLAINT**

Issue Date: October 11, 2007

Effective Date: October 21, 2007

On September 28, 2007, the Staff of the Missouri Public Service Commission and Missouri Gas Energy, a division of Southern Union Company, filed a Settlement Agreement and Satisfaction of Complaint which purports to resolve all of the outstanding issues of this case.

The major provisions of the Agreement state that MGE has conducted additional training regarding the location of abandoned lines for employees with line location responsibilities, contractors, contractor inspectors, and company first-responders. In addition, MGE is including abandoned line information in each work order packet and has implemented a procedure requiring use of a tap fitting gauge to insure contractors and

MGE personnel connect to the correct gas line. Also, an MGE employee will visit the site of critical pipeline procedures before or during these procedures. Finally, MGE will make a voluntary contribution of \$2,000 to the public school fund.¹

In the Agreement, the parties waived their rights to cross-examine witnesses, to present oral argument or briefs, to have the transcript read by the Commission, and to rehearing and judicial review. Section 536.060, RSMo 2000, gives the Commission the authority to accept a stipulation and agreement as a resolution of this contested case.

Commission rule 4 CSR 240-2.115 provides that if no party requests a hearing, the Commission may treat an agreement as a unanimous agreement. No party has requested a hearing regarding any issue and therefore, the Agreement will be treated as unanimous.

After reviewing the Agreement, the Commission finds it to be reasonable. The Commission determines that the Agreement shall be approved.

IT IS ORDERED THAT:

1. The Settlement Agreement and Satisfaction of Complaint filed on September 28, 2007, is approved as a resolution of the issues in this case. A copy of the Agreement is attached as Attachment A and is incorporated as part of this order.
2. Staff and Missouri Gas Energy, a division of Southern Union Company, are ordered to comply with the terms of the Agreement.
3. No later than October 31, 2007, Missouri Gas Energy, a division of Southern Union Company, shall deposit \$2,000 in the Public School Fund and shall file a notice in this case indicating it has made the deposit.

¹ Section 386.600, RSMo.

4. This order shall become effective on October 21, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Clayton,
Appling, and Jarrett, CC., Concur.

Dippell, Deputy Chief Regulatory Law Judge