

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of The Empire District Gas Company of)
Joplin, Missouri, for Authority to File Tariffs Increasing) **File No. GR-2009-0434**
Rates for Gas Service Provided to Customers in the) Tariff No. YG-2009-0855
Missouri Service Area of the Company.)

ORDER GRANTING MOTIONS TO EXTEND FILING DATES

Issue Date: December 11, 2009

Effective Date: December 11, 2009

On December 9, 2009, the Staff of the Commission filed a motion to extend the filing deadline for prefiled testimony regarding non-transportation issues. Staff represents that certain parties have reached an agreement in principle as to all issues except the transportation issues.¹ These parties would like to use their resources to finalize a Stipulation and Agreement as to Non-Transportation Issues rather than turn their attention to filing rebuttal testimony regarding non-transportation issues which most likely will become unnecessary. Accordingly, these parties request that the Commission extend the filing dates for rebuttal and surrebuttal testimony on non-transportation issues to December 18 and 29, 2009, respectively. Rebuttal testimony regarding transportation issues was filed on December 9, 2009.

Constellation NewEnergy-Gas Division, LLC, filed a motion seeking to extend the filing date for the transportation issues surrebuttal testimony to December 29, 2009. Constellation's counsel states that he has contacted counsel for all the parties and none

¹ Regulatory Law Judges Dippell and Jordan met with counsel for each of the parties that were available via telephone conference on December 8, 2009. At that conference, the parties present indicated that they expected to have a partial agreement by the end of the day and requested guidance as to what procedural motions should be filed and the timelines which would be acceptable to the Commission.

objects to this request. Both Staff and Constellation allege that no other change in the existing procedural schedule will be necessary as a result of these extensions.

Having considered Staff's and Constellation's motions, the Commission finds it reasonable to extend the filing dates for testimony on non-transportation and transportation issues as set out below.

THE COMMISSION ORDERS THAT:

1. Staff's Motion to Extend Date for Filing of Pre-Filed Testimony is granted.
2. Constellation NewEnergy-Gas Division, LLC's Motion to Extend Date for Filing of Pre-Filed Surrebuttal Testimony on Transportation Issues is granted.
3. All parties' prefiled rebuttal testimony on non-transportation issues, or a written stipulation and agreement regarding those issues, shall be filed no later than December 18, 2009.
4. All parties' prefiled surrebuttal testimony on non-transportation issues shall be filed no later than December 29, 2009, unless a stipulation and agreement resolving those issues has previously been filed.
5. All parties' prefiled surrebuttal testimony on transportation issues shall be filed no later than December 29, 2009.
6. After the filing of non-transportation rebuttal testimony, the response time for non-transportation-related data requests shall be five business days to provide the requested information, and three business days to object or to notify the requesting party that more than five business days will be needed to provide the requested information.

7. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name.

Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of December, 2009.