

OF THE STATE OF MISSOURI

FILED

November 7, 2007

Data Center

Missouri Public
Service Commission

Application of The Gas Service
Company for a certificate of
convenience and necessity to
serve as a natural gas public
utility a described area in
Platte County, Missouri.

CASE NO. 12,632

REPORT AND ORDER

By its reports and orders issued herein on the 24th day of May, 1955 and the 24th day of June, 1955, The Gas Service Company was authorized to construct, maintain and operate a 12 inch pipeline in Platte County, Missouri, along the route as described in said orders for the purpose of supplying natural gas to the Mid-Continent International Airport site in said county.

On November 16, 1956, The Gas Service Company, applicant herein, filed its motion to modify the aforesaid reports and orders so as to permit said applicant to use the full and unrestricted capacity of said pipeline for the supplying of natural gas to other areas for which the applicant has been certificated in the proximity of or beyond the Mid-Continent International Airport. The applicant states and the record in this case shows that in the former orders of May 24, and June 24, 1955, the applicant was authorized to restrict the use of the said 12 inch line to the needs of the Mid-Continent Airport only in order that the supply of service to St. Joseph and other communities served from the same source would be protected. The supply of gas at that time furnished to the applicant was from the facilities of an interstate pipeline owned and operated by the Cities Service Gas Company.

The applicant now shows that on October 1, 1956, the Cities Service Gas Company completed the construction of an additional 16 inch pipeline to serve St. Joseph, Missouri. It states that the new line is now in operation and provides St. Joseph with an

Staff Exhibit No. 9
Case No(s). 35-2007-0289
Date 10/25/07 Rptr. MW

additional supply of gas for domestic, commercial and industrial customers in and about St. Joseph. The applicant claims that there is no need now to supply the Mid-Continent International Airport only. It requests authority now to use the full capacity of the 12 inch line authorized heretofore in this case to provide improved service to customers in and about Platte Woods, Gladstone, Missouri and other areas near or beyond the Mid-Continent International Airport.

Attached to the application is an exhibit which is a map showing the additional pipeline construction required in order to make the capacity of the 12 inch line serving the airport also available to the other areas now served by the applicant. This map shows that the additional construction will comprise approximately six miles of pipeline to make the necessary connections.

After receiving the application a copy was sent to the City Counselor of the City of St. Joseph inquiring as to whether or not the City has any objections to the granting of the authority requested. At a later date the Commission received a letter dated November 26, 1956, from The Gas Service Company and signed by the Vice President and General Counsel of the applicant setting forth information relative to the capacity now available for transmitting gas to the City of St. Joseph as provided by the Cities Service Gas Company, and the amount of gas it could be expected to render the City of St. Joseph on any maximum day that may occur in that area and also the gas that may be available in the area for which the applicant now seeks authority to construct the proposed lines.

In response to that inquiry the City Counselor advises the Commission that it has studied the information provided and responds with a statement that the City of St. Joseph will not oppose the granting of the authority requested and is not asking for a public hearing relative thereto.

Applicant states that if authority to construct the connecting lines as herein proposed is granted it will be in a better position to provide service to its present and future customers in areas for which it is now certificated and that such construction in use of the 12 inch line will not impair service to any of its present or future customers in St. Joseph, Missouri.

The information contained in the application has been sworn to by the president of the applicant company and is hereby accepted by the Commission as facts relating to the proposed construction.

The facts show that the construction will be in the public interest and that none of the customers now served or to be served in any of the applicant's certificated areas will be adversely affected by the construction as proposed or the change in the use of the present 12 inch line heretofore authorized in this case.

Under such showing the Commission is of the opinion that a hearing is not required for the proper determination of the matters involved and finds the authority requested should be granted.

It is, therefore,

ORDERED: 1. That The Gas Service Company be and is hereby authorized to construct, maintain and operate connecting lines that will enable it to make full use of and is hereby authorized to so use the 12 inch line heretofore authorized in orders issued herein on May 24 and June 24, 1955, supplying gas to its distribution system in Platte Woods and Gladstone, Missouri, and in other areas for which the applicant has heretofore been certificated, the route of said lines being more fully described by a map attached to the application and made a part thereof and marked as Exhibit A which is hereby referred to and made a part hereof.

ORDERED: 2. That all construction pursuant to authority granted in ORDERED: 1 above shall be maintained and operated in a reasonably safe and adequate manner so as not to endanger the safety of the public or to interfere unreasonably with the services of other public utilities.

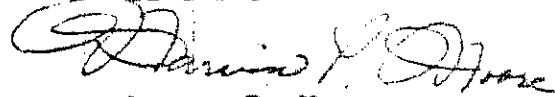
ORDERED: 3. That this order shall take effect on December 31, 1956, and the Secretary of the Commission shall forthwith serve a certified copy of same on each interested party.

(SEAL)

Burton, Chr., Hanson, McClintock,
McDonald and Barton, CC., Concur.

Dated at Jefferson City, Missouri
this 18th day of December, 1956.

BY THE COMMISSION



Marvin P. Moore
Secretary

EXHIBIT E

MISSOURI PUBLIC SERVICE COMPANY

CONFORMED COPY OF PERMIT FROM PLATTE COUNTY COURT

IN THE COUNTY COURT OF PLATTE COUNTY, MISSOURI

In the Matter of the Application of)
Missouri Public Service Company for)
a permit authorizing it to construct,)
operate and maintain pipe lines for)
transmission of gas along, across, or)
under the roads, highways and public)
ways of Platte County, Missouri.)

7th P.S.C. Exhibit No. 1
Mon 5/1/55 Case No. 12132-12174
Respectfully Submitted, Lillian M. Powell

ORDER

WHEREAS, the Missouri Public Service Company proposes to extend certain gas pipe lines in and through Platte County for supplying gas for public use and service in said County, and

WHEREAS, the said pipe lines will extend along, across or under roads, highways and public ways which are a part of the Platte County road system, and which are under the jurisdiction of the Platte County Court and the supervision of the County Highway Engineer.

THEREFORE, Be It Ordered, that Missouri Public Service Company, its successors and assigns, be and they are hereby authorized to construct, lay, operate and maintain pipe lines and mains, stub pipes, service pipes, valves, regulators, and other appurtenant equipment, along, across or under the roads, highways and public ways of Platte County, Missouri.

This permit is granted in consideration of the covenants by the said grantee that paving removed or disturbed will be restored to original condition by grantee at its own expense, and that all work shall be done under the supervision and to the full satisfaction of the County Highway

EXHIBIT E
Continued

Engineer; that the work shall be diligently prosecuted and that it will cause no inconvenience to the public using said highways and roads; that at any time the County Court or its successors shall deem it necessary to change the grade or reconstruct or widen any of such highways or roads, the grantee will move or lower at its own expense and cost, any portion of said mains and pipe lines as may be necessary on account of such road changing or reconstruction, with no costs or damages whatever to Platte County, Missouri; and grantee shall indemnify and save harmless Platte County from any loss, costs or damages arising or growing out of suits or claims for damages to persons or property in all cases in which such damages are caused by the negligence of said grantee in the performance of any work authorized or contemplated herein.

Entered this 27th day of July, 1953.

/s/ A. J. Billix
Presiding Judge, County Court
of Platte County, Missouri

/s/ George Offett East
Judge, Eastern District

/s/ O. W. Thompson
Judge, Western District

/s/ Holman T. Ham
County Clerk

Platte County, Missouri

DATE 5/2/85 BY [illegible] [illegible]

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF PLATTE CITY,
MISSOURI AS FOLLOWS:

SECTION 2. All pipes, mains, conductors and other appliances shall be so located and laid as not to injure unnecessarily any drains, sewers, water mains, water pipes, or other like public utilities.

SECTION 2. All pipes, mains, conduits and other appliances shall be so located and laid as not to injure unnecessarily any drains, sewers, water pipes, or other like public or private property.