

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21st day of
May, 2014.

The Staff of the Missouri Public
Service Commission,)
)
)
Complainant,)
)
)
v.)
)
Laclede Gas Company, d/b/a)
Missouri Gas Energy)
)
And)
)
Southern Union Company, formerly d/b/a)
Missouri Gas Energy)
)
Respondents.)

File No. GC-2014-0216

ORDER ESTABLISHING PROCEDURAL SCHEDULE

Issue Date: May 21, 2014

Effective Date: May 21, 2014

The Commission's Staff has filed a complaint against Laclede Gas Company, d/b/a Missouri Gas Energy and against Panhandle Eastern Pipeline Company, LP, successor to Southern Union Company, formerly d/b/a Missouri Gas Energy. Staff's complaint concerns Missouri Gas Energy's response to a natural gas leak that resulted in an explosion in Kansas City on February 19, 2013. The Commission must now establish a procedural schedule to consider that complaint.

All parties discussed how to proceed in a procedural conference held on May 2. Thereafter, on May 16, the parties jointly filed a proposed procedural schedule to which

they all agree. The proposed schedule recognizes that extensive discovery is occurring in civil litigation surrounding the natural gas explosion. The parties propose to wait until that civil litigation discovery is complete before presenting evidence to establish the factual basis of Staff's complaint against Missouri Gas Energy. As a result, the parties propose that the hearing in this complaint not occur until May of 2015.

The parties recognize that Count II of Staff's complaint recommends that Missouri Gas Energy take certain steps to improve its emergency response procedures. The parties agree that those recommendations should be addressed as soon as possible and that those discussions can begin before evidence about the response to the explosion is presented. The parties indicate they will begin ~~informal~~ discussions regarding those recommendations in June 2014.

After considering the jointly proposed procedural schedule, the Commission concludes that the proposed schedule is generally appropriate. In particular, it is appropriate to delay a hearing on the possible imposition of penalties for past actions until after discovery in the civil actions is complete. The Commission does not want to interfere in the civil litigation process. However, the Commission needs to be kept aware of developments as discussion continues on the Staff recommendations regarding actions the company may take to implement Staff's recommendations. Therefore, the Commission will order its Staff to file monthly reports detailing the progress in those discussions as they move toward resolution.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

**Commencement of Discussion on
Staff Recommendations** - **June 2014**

- Staff files Progress Report** - **July 18, 2014**
- Staff files Progress Report** - **August 15, 2014**
- Staff files Progress Report** - **September 19, 2014**
- Staff files Progress Report** - **October 17, 2014**
- Staff files Progress Report** - **November 14, 2014**
- Staff files Progress Report** - **December 19, 2014**
- Staff files Direct Testimony** - **February 13, 2015**
- Rebuttal Testimony Filed** - **March 27, 2015**
- Deadline for Fact Discovery and Depositions** - **April 13, 2015**
- Surrebuttal Testimony Filed** - **April 27, 2015**
- List of Issues Filed** - **May 4, 2015**
- Statements of Position Filed** - **May 7, 2015**
- Hearing** - **May 18 through 22, 2015, beginning each day at 8:30 a.m.**

2. The parties shall comply with the following procedural requirements:
 - (A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
 - (B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.
 - (C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

- (D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
- (E) All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, a copy for each Commissioner, the Presiding Judge, and all counsel.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

- 4. This order shall become effective upon issuance.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Woodruff, Chief Regulatory
Law Judge