

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

The Staff of the)	
Missouri Public Service Commission,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2016-0149</u>
)	
Missouri Gas Energy, an operating unit of)	
Laclede Gas Company)	
)	
Respondent.)	

**STAFF'S MOTION TO CONTINUE MISSOURI GAS ENERGY'S
MOTION FOR SUMMARY DETERMINATION**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, pursuant to 4 CSR 240-2.117(1)(D), and hereby request that the Commission grant Staff an extension of time to file its response to MGE's Motion For Summary Determination ("Motion"). In support of this motion, Staff states as follows:

1. On February 4, 2016, MGE filed its *Reply to Staff's Response To MGE's Motion to Dismiss Complaint And, In The Alternative, Motion For Summary Determination*. Commission Rule 4 CSR 240-2.117(1)(C) provides that, "Not more than thirty (30) days after a motion for summary determination is served, any party may file and serve on all parties a response in opposition to the motion for summary determination." Following this rule, March 5, 2016 would be the deadline for any responses to be filed to MGE's motion.

2. 4 CSR 240-2.117(1)(D) states:

For good cause shown, the commission may continue the motion for summary determination for a reasonable time to allow an opposing party to

conduct such discovery as is necessary to permit a response to the motion for summary determination

3. Staff is currently in the process of conducting discovery in this proceeding, which will not be completed by March 5, 2016. Staff has conducted some discovery and received responses from MGE to Staff's initial Data Requests on February 16, 2016. However, MGE's responses to Staff's initial data requests have raised several concerns which have resulted in the need for Staff to follow up with additional data requests.

4. For example, from the responses to Staff's initial round of Data Requests, received February 16, 2016, Staff has learned that since September 1, 2015, MGE has had 61,913 accounts receive bills for a period in excess of 35 days (long bills). As of January 28, 2016, MGE has issued 67,060 long bills. In addition, 5,097 MGE customers have received more than one long bill since September 1, 2015.¹

5. Additionally, in January, 2016, MGE experienced an event involving a corrupted meter reading download file that caused customers to be issued long bills. MGE has systematically adjusted approximately 26,000 bills stemming from this event.²

6. MGE also discovered that some customer accounts were missed in the initial conversion/rerouting, and MGE has since rerouted those customers.³

7. Given the current state of discovery, it is not currently possible to conclude that there are no material issues of disputed fact. Moreover, it is conceivable, and perhaps likely, that new information will be uncovered through discovery that could result in Staff amending its *Complaint*.

8. As a result, Staff requests that the Commission continue MGE's Motion

¹ MGE's Response to Staff DR 0001

² MGE's Response to Staff DR 0004

³ MGE's Response to Staff DR 0006

and allow an extension of time for Staff to respond until Staff has had sufficient time to conduct discovery. Staff therefore requests that the deadline for responding to MGE's Motion be extended until April 27, 2016, 60 days from the current deadline for responses to be filed.

WHEREFORE, Staff respectfully requests that the deadline for responding to MGE's Motion For Summary Determination be extended until April 27, 2016 in order to allow Staff a reasonable opportunity to conduct such discovery as is necessary to permit a response to MGE's motion; to determine whether there are any material facts in dispute in this matter; and otherwise to allow Staff the opportunity to determine whether or not it will amend its initial *Complaint*.

Respectfully Submitted,

/s/ Mark Johnson

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 25th day of February, 2016.

/s/ Mark Johnson