

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Troy L. Eckhoff, Sr.,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2005-0008
)	
Missouri Gas Energy, a Division)	
of Southern Union Company,)	
)	
Respondent.)	

MOTION TO RECONSIDER OR VACATE ORDER
AND RENEWED REQUEST FOR MEDIATION

Comes now Missouri Gas Energy, a Division of Southern Union Company ("MGE" or Respondent"), and in response to the Missouri Public Service Commission's (Commission) *Order Setting Prehearing Conference and Directing Filing* in this matter, respectfully states as follows:

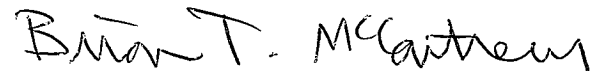
1. On Tuesday, August 24, the Commission issued an order in this matter deeming that the Complainant had rejected MGE's offer of mediation and directing this case to move forward through litigation. The order directs MGE to "file its Answer and any motion directed at the Complainant on or before 4:00 p.m. on September 3, 2004." The order also establishes dates for a prehearing conference and the filing of a procedural schedule.

2. Later in the day on Tuesday, August 24, Carlotta and Troy Eckhoff's signed agreements to a meeting to mediate this dispute were filed in the Commission's Electronic Filing and Information System (EFIS). The agreements are dated August 20,

2004, and they appear to have been faxed by Legal Aid of Western Missouri's Joplin Office on Monday, August 23.

3. In light of Complainants' agreement to a meeting to mediate this dispute, MGE respectfully requests that the Commission: (a) reconsider or vacate its *Order Setting Prehearing Conference and Directing Filing* in this matter; (b) issue an order tolling the time period in which MGE is required to file an answer to the Complaint; and (c) grant such other relief as is reasonable in the circumstances.

Respectfully submitted,



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Attorneys for Respondent

Certificate of Service

I hereby certify that on the 25th day of August, 2004, a true and correct copy of the above and foregoing *Motion to Reconsider or Vacate Order and Renewed Request for Mediation* was sent by U.S. Mail, postage prepaid, or electronic mail to the following parties:

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Brian T. McCartney