

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Cancellation of the	)	
Certificates of Convenience and Necessity	)	<b><u>File No. GD-2009-0378</u></b>
and Tariffs of Missouri Gas Company, LLC	)	Tracking Nos.JG-2003-0032
and Missouri Pipeline Company, LLC	)	JG-2005-0351

## **ORDER ACKNOWLEDGING WITHDRAWAL OF MOTION TO CANCEL CERTIFICATES OF CONVENIENCE AND NECESSITY AND CLOSING CASE**

Issue Date: July 1, 2009

Effective Date: July 1, 2009

On April 16, 2009, the Staff of the Missouri Public Service Commission filed a motion to cancel the certificates of convenience and necessity of Missouri Gas Company, LLC and Missouri Pipeline Company, LLC, as well as the associated tariffs.

On June 24, 2009, Staff filed a withdrawal of its April 16 Motion as litigation is pending in several courts, including an extraordinary writ filed in the Supreme Court of Missouri in Case No. SC90166. Staff indicated they will again request cancellation after such pending litigation is resolved.

Commission Rule 4 CSR 240-2.116(1) permits an applicant to voluntarily dismiss its application without an order of the Commission at any time before prepared testimony has been filed or oral evidence has been offered. No prepared testimony or oral evidence has been offered in this case. Therefore, the Commission acknowledges that Staff has withdrawn its application.

**THE COMMISSION ORDERS THAT:**

1. The Motion to Cancel Certificates of Convenience and Necessity of the Staff of the Missouri Public Service Commission is withdrawn.
2. This order shall become effective immediately upon issuance.
3. This case shall be closed.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(SEAL)

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 1<sup>st</sup> day of July, 2009.