

HC

No. 3809

DATA INFORMATION REQUEST  
GATEWAY PIPELINE COMPANY, INC.  
CASE NUMBER GM-2001-585

Exhibit No. 23  
Date 9/2/01 Case No. GM-2001-585  
Reporter KRM

Requested From: Mr. David J. Ries

Date Requested: June 7, 2001

Information Requested: Please provide a copy of Gateway Pipeline Inc.'s management agreement between Mr. David J. Ries, Mr. Dennis M. Langley and TCW Group. This request should also include a biography or business description of each investing partner along with a detailed list of any regulated purchase/sale transactions in which any of the partners have been a party or acted as a representative for the investing client. This list should include information regarding state of jurisdiction, date of transaction, as well as case or docket number. Additionally, this list should include those regulated purchase/sale transactions which were subject to FERC jurisdiction. In each instance, each partner should describe his or her role in each transaction both prior to and following the completion of each purchase/sale transaction. If requested information cannot or will not be provided, please explain in detail why requested information is not being provided.

Requested By: Roberta McKiddy, Financial Analyst

Information Provided: There are no formal management agreements in place with Gateway Pipeline Company. The individual who will have day to day management responsibility of Gateway Pipeline Company will be David J. Ries, who will serve as it's President and CEO. His resume indicating past experience is attached. Equity ownership in Gateway Pipeline Company will be held by Mogas Energy L.L.C with company interests held by David J. Ries, Dennis M. Langley and TCW Group. The operating agreement for Mogas Energy has not been completed and is dependant upon completion of a senior debt offering which is under way currently. David J. Ries while an employee and subsidiary officer with KN Energy was involved in numerous purchase/sale transactions over several years. This involved regulated Intrastate pipeline companies in the states of Texas, Colorado, Wyoming plus the Interstate pipelines of KN Interstate Gas Transmission, Natural Gas Pipeline Company of America, TransColorado Gas Transmission Company and Stingray Pipeline Company. Most of the transactions were not subject to specific regulatory approval and docket numbers for those that were are not readily available. The only transaction of significance affecting the State of Missouri was the acquisition by KN Interstate Gas Transmission of the Pony Express Pipeline, which was used to provide additional capacity to the Kansas City market. Since leaving KN Energy in late 1999, Mr. Ries has not been involved with or conducted any other regulated transactions. Dennis M. Langley, resume attached, has been actively involved in the energy industry for over two decades. From the late 1970's until the early 1990's Mr. Langley was one of the principals in The Bishop Corp. which did design and construction work for energy projects largely in the Midwest. Most recently Mr. Langley was CEO of a pipeline system known as Kansas Pipeline Company which consists of approximately of 1200 miles of transmission pipelines in northern Oklahoma, Kansas, and Kansas City, Missouri. In November of 1999 Mr. Langley sold 100% of his stock in The Bishop Group, Ltd., the ultimate owner of Kansas Pipeline Company, in a non-regulated stock transaction. Today Mr. Langley has no interest in any regulated pipeline and does not retain any interest in Kansas Pipeline Company, but is a testifying party on behalf of Kansas Pipeline Company or its affiliates in regulatory proceedings which were pending at the time of the November 1999 sale. Mr. Langley is currently president of two development companies which hold no regulated pipeline assets. The TCW Group is a equity investment company and as a matter of practice does not disclose it's individual holdings. A two page summary of the TCW Group is attached which summarizes the breath of their investment expertise.

The attached information provided to the Missouri Public Service Commission Staff in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present facts of which the undersigned has knowledge, information or belief. The undersigned agrees to immediately inform the Missouri Public Service Commission Staff if, during the pendency of Case No. GM-2001-585 before the Commission, any matters are discovered which would materially affect the accuracy or completeness of the attached information.

If these data are voluminous, please (1) identify the relevant documents and their location (2) make arrangements with requestor to have documents available for inspection in Gateway Pipeline Company Inc.'s, Littleton, Colorado office, or other location mutually agreeable. Where identification of a document is requested, briefly describe the document (e.g. book, letter, memorandum, report) and state the following information as applicable for the particular document: name, title, number, author, date of publication and publisher, addresses, date written, and the name and address of the person(s) having possession of the document. As used in this data request the term "document(s)" includes publication of any format, workpapers, letters, memoranda, notes, reports, analyses, computer analyses, test results, studies or data, recordings, transcriptions and printed, typed or written materials of every kind in your possession, custody or control or within your knowledge. The pronoun "you" or "your" refers to Gateway Pipeline Company Inc. and its employees, contractors, agents or others employed by or acting in its behalf.

Signed by: 

Prepared by: DAVID J. RIES

Date Response Received: \_\_\_\_\_

DAVID J. RIES  
7662 Davis Peak Road  
Littleton, Colorado 80127  
Office: 303-904-4874  
Fax: 303-933-6895

### SUMMARY

Senior professional with twenty-seven years of management experience in strategic planning, business development, project management and operations, including extensive interaction with core business functions, administration, suppliers, governmental agencies and customers.

### PROFESSIONAL EXPERIENCE

R2 DEVELOPMENT, INC. – Littleton, Colorado (1999- present)

#### President

Provide technical and business consulting regarding the acquisition, development, redeployment or divestment of assets utilized in the production, transportation, consumption or generation of energy components or products.

KINDER MORGAN INC. (successor to K N Energy, Inc.)

Senior Vice President, Corporate Development &  
Vice President, Business Development – Lakewood, Colorado (1993-1999)

Responsible for identifying, developing and completing major acquisitions, mergers and divestitures of assets to achieve growth of new business for all pipeline related subsidiaries.

- Directed a staff of professionals located in three offices (Houston, Chicago, Denver) to provide screening, evaluation and implementation of asset based transactions to support aggressive growth objectives and capital expenditure initiatives of all business units.
- Initiated and negotiated the acquisition of a 1000 mile crude oil pipeline from Wyoming to Missouri for conversion to natural gas service including the completion of the sale of 100% of the available transportation capacity prior to start up. This transaction increased the scope of companies interstate pipeline business by 50%
- Identified and successfully purchased additional gathering and processing assets to double the size of companies non-regulated gathering businesses.
- Provided the integration strategy and directed the economic evaluation for the acquisition of MidCon Corp which more than doubled the size of the corporation.

Chief Engineer - Lakewood, Colorado (1988-1993)

Responsible for all project engineering and facility planning functions for the corporation and various pipeline subsidiaries with extensive involvement in acquisitions and new business development.

- Provided company representation in the conceptualization and initial development of a \$180MM project for providing additional natural gas transportation capacity from the Rocky Mountains (TransColorado Gas Transmission).
- Initiated and sponsored a user based team to develop a better way of handling company facility records and allowing better access by all users resulting in the implementation of a Geographic Information System.
- Initiated, developed and negotiated the purchase of a gathering system, which became the first assets for the company's non-regulated gathering subsidiary.
- Provided the leadership for the development and implementation of a multi-functional strategic plan for the company's Colorado Western Slope activities.
- Provided extensive participation in negotiating a joint venture agreement with a major customer for a \$28.6MM project.

## ENRON CORP

### Chief Engineer - Houston, Texas (1986-1988)

Directed a staff of senior level engineers and project managers in the development, analysis, and implementation of projects on the western half of the ENRON gas pipeline system.

- Managed up to \$70MM annually in pipeline construction projects resulting in the successful attainment of marketing, supply, transportation and operating objectives
- Supervised the development of proposals for facility expansion including cost estimates while providing consultation to company negotiators, which resolved conceptual, operational, and technical concerns and resulted in the approval of several major projects.
- Investigated and interviewed engineering consulting firms and executed contracts which acquired technical design services and resulted in a 100% reduction of backlogged design projects.
- Originated a proposal and guided the development of a local area network computer system which standardized work methods and improved project status reporting.

### Director of Engineering - Omaha, Nebraska (1981-1986)

Managed the engineering department for Northern Natural Gas Company consisting of 40 engineers and designers providing cost effective design of new plants, pipelines, compression, measurement, and revisions to existing facilities.

- Developed, promoted, and directed a program emphasizing market responsive engineering and construction services which accelerated several spot market projects resulting in increased sales, teamwork, and profits. (Received an executive performance award for this effort).
- Implemented the centralization of the project engineering staff from five regional offices while reducing authorized staff by 25%.
- Participated in the development of annual capital plans which provided for the orderly commitment and prioritizing of capital funds.
- Reorganized the design process and established the utilization of Computer Assisted Design (CAD) procedures which reduced project drafting requirements and improved design standardization.

Manager of Materials - Omaha, Nebraska (1977-1981)

Directed the planning, forecasting and control of the investment in materials required for facility expansion, emergency repairs, and operating spare parts. Developed a lead role in the disposition of surplus assets.

- Initiated the development, staffing, and operation of two warehouses for the collection of construction materials from district locations resulting in the elimination of \$1.1MM of obsolete material, a 40% reduction in investment, and a 200% increase in turnover rate while reducing material handling costs.
- Developed stocking guidelines and initiated management approval criteria for the purchase of replacement parts resulting in a 24% reduction in spare parts stock.
- Created a program to remove from service obsolete pipelines and plants, which substantially increased the reuse of materials and equipment within the company.
- Initiated and provided leadership for the sale of surplus materials and used equipment resulting in a 500% increase in sales over three years.

Project Engineer/Senior Project Engineer - Des Moines, Iowa (1974-1977)

Provided project design services, contract preparation, and construction supervision in a five state operating area assuring that projects were completed on time within authorized amounts.

- Implemented a \$12MM natural gas underground storage field expansion, which increased cycle volume by 20 BCF.
- Developed specifications, solicited bids, and evaluated proposals for the competitive purchase of equipment.
- Participated in the development of capital and operating budgets providing review and approval of project cost estimates and projected operating costs.
- Conducted audits of all operating locations, which assured compliance with all operating, record keeping and safety requirements.
- Assisted in the implementation of a computerized maintenance program for scheduling and documenting routing maintenance task completion, which assured compliance with code requirements.

H.R. GREEN COMPANY - Cedar Rapids, Iowa (1973-1974)

Consulting Engineer

- Provided field inspection, detailed designs and structural analysis services of road bridges for cities, counties, and state transportation agencies.

EDUCATION

Bachelor of Science in Civil Engineering  
Iowa State University - Ames, Iowa 1973  
Registered Professional Engineer  
State of Iowa, 8379 Active

- I. **The Bishop Group, Ltd., and Kansas Pipeline Company**  
*President, Chief Executive Officer and Chairmen of the Board*  
8325 Lenexa Drive, Suite 400  
Lenexa, KS 66214  
Period of employment: 1979 to 1999
- II. **Schmidt & Langley, Chtd.**  
*Attorney and Partner*  
Period of Employment: 1978 to 1985  
Law firm consisting of up to eight attorneys specializing in business organizations, regulatory, oil and gas, and environmental law.
- III. **Sub-Committee Chairman: Senator Joseph R. Biden, Jr., Democrat, Delaware**  
*Majority Counsel for the United States Senate Judiciary Sub-Committee*  
Period of Employment: 1977 & 1978
- IV. **The Catholic University of America, Washington, DC**  
*Undergraduate Instructor/Coach of Debate and Forensics*  
Immediate Supervisors: Dr. C. Joseph Nuesse  
Executive Vice-President and Provost  
And  
Bro. Nivard Scheel, C.F.X.  
Vice-president of Student Affairs

**V. Our Lady of Good Counsel High School, Wheaton, Maryland**

*Debate and Speech Coach*

Period of Employment: September 1971 to May 1972

Achievements: Tri-State (Maryland, Virginia, D.C.) Debate  
Champions. 1971-1972.

Tri-State Speech Champions 1971-1972.

**VI. Dresser Engineering, Tulsa, OK**

*Millright, Pipe Fitter, Instrument Fitter, Rigger and Laborer*

Period of Employment: 1966- 1971

**EDUCATION**

The Catholic University of America, Washington, D.C.

B.A.: May 1973, GPA: 3.82 Major: General Semantics/Philosophy

The Catholic University of America, Washington, D.C. – M.A. in Communication, 1973

Honors/Activities:

- President's Award (Outstanding Male Graduate), 1973
- Honor Student (Summa Cum Laude)
- Phi Beta Kappa
- Blue Key Honor Society
- B.A.-M.A. Accelerated Program (acquired both B.A. and M.A. degrees within four years of high school graduation.
- Honors Philosophy Program
- National Extemporaneous Speaking Champion 1970
- 2<sup>nd</sup> Place – Extemporaneous Speaking, National Speech Tournament, 1971
- 3<sup>rd</sup> Place – Impromptu Speaking, National Speech Tournament, 1971
- 1<sup>st</sup> Place – International Debate Tournament of Champions, 1971

**PROFESSIONAL EDUCATION**

The Catholic University of America, School of Law, Washington, D.C., May, 1977

# COMPANY SUMMARY

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## BACKGROUND

Established in 1971, the TCW Group (TCW®) principally includes the parent company, The TCW Group, Inc.; Trust Company of the West, an independent trust company chartered by the State of California; TCW Asset Management Company (TAMCO); and TCW Investment Management Company (TIMCO). TAMCO and TIMCO are investment advisors registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940. Also included in the TCW Group are other registered investment advisor entities. Ownership of the firm lies approximately 95% with employees and 5% with directors.

## BUSINESS

TCW's primary business is the provision of investment management services. We specialize in the management of taxable and tax-exempt pools of capital for pension and profit sharing funds, retirement/health and welfare funds, public employee retirement funds, financial institutions, endowments and foundations as well as foreign investors. Through our Private Client Services Group, customized investment management services are provided to high net worth individuals and family offices. Investment management services are also delivered to individuals through a number of broker dealer managed account program relationships. In addition, we manage a full line of no load mutual funds under the brand name TCW Galileo Funds.

## PERSONNEL

TCW is staffed with more than 585 individuals, of which 300 are investment and administrative professionals. The over 160-person professional investment staff includes over 60 portfolio managers/analysts, more than 75 research personnel and 16 traders. TCW also has over 60 client relations professionals and over 75 administrative professionals.

## APPROACH

TCW offers its clients their choice of a wide array of expertly managed investment strategies. This variety is the result of combining an unusually broad range of investment expertise with an openness to multiple investment philosophies. Clients can invest in TCW's strategies singly or in combination, and can set their own asset allocation or retain TCW to allocate capital among various strategies.

TCW's portfolio managers are free to differ as to investment philosophy, and they do so to a major extent. Some strategies are top-down and others are bottom-up. Some are macro-forecast-driven and others put their primary emphasis on identifying individual bargains in inefficient markets. Some are aggressive and others are defensive. There is room among our offerings for a wide variety of investment approaches as long as each is well thought-out and competently applied.

## COMPANY SUMMARY

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The TCW approach is to (1) identify sectors of the financial markets which are fundamentally attractive for investing and (2) assemble the expert personnel required to successfully pursue the available opportunities. To do so, TCW generally hires recognized professionals with experience and strong track records. TCW provides all of the necessary support so that the investment professionals can dedicate themselves exclusively to portfolio management.

### INVESTMENT SPECIALTIES

Within the investment staff there are numerous specialties represented, divided among five major investment sectors. These include U.S. equities, U.S. fixed income, international, alternative investments and asset allocation.

Examples include:

- U.S. large, medium and small capitalization equities,
- convertible securities,
- fixed income including high grade, mortgage-backed securities and high yield bonds,
- international equity and debt securities focusing on Latin America, Asia Pacific, Europe, Japan and Emerging Markets,
- oil and gas,
- cogeneration and infrastructure,
- private equity placements, both U.S. and international,
- distressed securities, and
- real estate.

In addition to a choice of strategies, the client often has a choice of investment vehicles depending on the nature of the client and the amount to be invested. Investment vehicles can include separate accounts, commingled trusts, limited partnerships and mutual funds.

### ASSETS UNDER MANAGEMENT

As of December 31, 2000, TCW had total assets under management or committed to management of approximately \$80 billion, including over \$50 billion in the Marketable Securities Division.