

ORIGINAL

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January 23, 2003

Missouri Public Service Commission  
Attn: Secretary of the Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Mo. 65102-0360

**FILED<sup>3</sup>**

**JAN 23 2003**

RE: Case No. GM-2003-0238

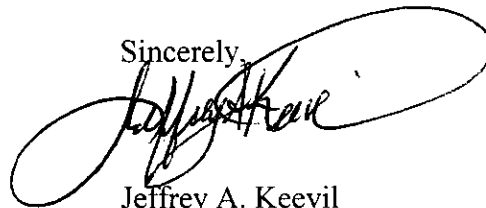
Missouri Public  
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case is an original and the appropriate number of copies of an APPLICATION FOR INTERVENTION on behalf of Enbridge Pipelines (KPC).

Copies of this filing have on this date been mailed or hand-delivered to counsel as directed in the Commission's Order of January 16, 2003, as well as to the Commission's General Counsel's Office. Thank you for your attention to this matter.

Sincerely,



Jeffrey A. Keevil

JAK/er  
Enclosures  
cc: counsel

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

**FILED<sup>3</sup>**

**JAN 23 2003**

**Missouri Public  
Service Commission**

In the Matter of the Application of Southern )  
Union Company d/b/a Missouri Gas Energy )  
for Authority to Acquire Directly or )  
Indirectly, Up to and Including One Hundred )  
Percent (100%) of the Equity Interests of )  
Panhandle Eastern Pipeline Company, )  
Including its Subsidiaries, and to Take All )  
Other Actions Reasonably Necessary to )  
Effectuate Said Transaction. )

Case No. GM-2003-0238

**APPLICATION FOR INTERVENTION**

COMES NOW Enbridge Pipelines (KPC), formerly known as Kansas Pipeline Company, (hereafter "KPC"), and in accordance with 4 CSR 240-2.075 and the Commission's Order herein dated January 16, 2003, applies to intervene and become a party in the above-referenced case and, in support of this Application For Intervention, respectfully states as follows:

1. KPC, a Kansas General Partnership, is a FERC-jurisdictional supplier of natural gas transportation service in the State of Missouri (Kansas City, Missouri metro area) to Missouri Gas Energy ("MGE"), a division of Southern Union Company ("Southern Union"). KPC began supplying such service to MGE on or about June 1, 1998.
2. KPC has a direct interest in this proceeding as a supplier of natural gas transportation service to MGE. By its application herein, Southern Union d/b/a MGE is seeking to acquire up to and including 100% of the equity interests of Panhandle Eastern Pipeline Company ("Panhandle"), another supplier of natural gas transportation service to

MGE. Such an acquisition could have a direct, negative effect on KPC. As such, KPC has an interest in this proceeding which is different from that of the general public. No other party to this proceeding can adequately represent the interests of KPC.

Furthermore, such an acquisition could be detrimental to the public interest by having a negative effect on the level of competition in the pipeline market in the Kansas City area. While KPC does not currently have sufficient information to take a position herein given the short amount of time between the Commission's Order dated January 16 and the intervention date, KPC is concerned that decisions or orders of the Commission herein could adversely impact it, as well as the market in which it operates.

3. Because KPC may be directly and adversely affected by the Commission's decisions and orders in this case, KPC has a direct interest in this proceeding which is different from that of the general public, and which cannot be adequately represented by any other party. Furthermore, granting the proposed intervention will serve the public interest by allowing the input of one of MGE's transporters, with an interest in a level playing field of competition in the relevant market, to be brought before the Commission. Accordingly, KPC submits that it meets the criteria for intervention set forth in 4 CSR 240-2.075 and that this Application For Intervention should be granted. Furthermore, the Commission has previously recognized the standing of KPC and its predecessors to intervene in significant MGE proceedings by granting intervention to KPC and/or its predecessors in numerous proceedings involving MGE and/or its predecessor (*i.e.*, GR-93-140, GR-94-101, GR-94-228, GR-95-82, GR-96-78, GR-96-450, GR-98-167, GR-99-304, GR-2000-425, GR-2001-382 and GR-2002-348).

4. Service of all pleadings, correspondence, communications and orders and decisions of the Commission should be made to counsel as follows:

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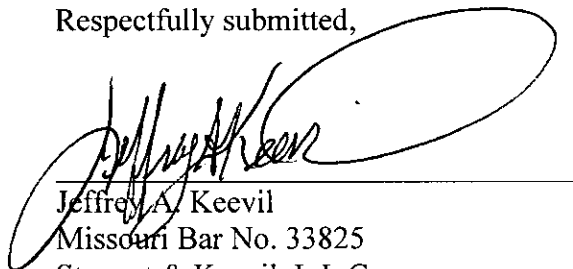
Chris Kaitson  
General Legal Counsel  
Enbridge Pipelines (KPC)  
1100 Louisiana, Ste. 3300  
Houston, Texas 77002  
(713) 650-8900  
(713) 821-2229 (fax)

with a copy to the following:

Don Whittington  
Vice-President, Regulatory Affairs  
Enbridge Pipelines (KPC)  
1100 Louisiana, Ste. 2900  
Houston, Texas 77002

WHEREFORE, having stated its grounds for intervention, KPC requests the Commission issue its Order granting it leave to intervene as a full party in this case, and for such other and further relief as the Commission may deem appropriate.

Respectfully submitted,



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ATTORNEY FOR ENBRIDGE  
PIPELINES (KPC)

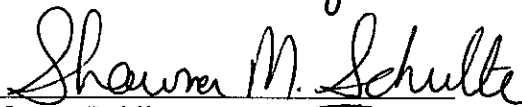
VERIFICATION

STATE OF MISSOURI     )  
                                  )  
COUNTY OF BOONE     )     ss

I, Jeffrey A. Keevil, being first duly sworn verify that I: am an attorney for Enbridge Pipelines (KPC) (hereafter "KPC"), licensed to practice law in the State of Missouri; have been authorized to file the foregoing on behalf of KPC; and that the foregoing is correct to the best of my knowledge, information and belief.

  
Jeffrey A. Keevil

Subscribed and sworn to before me this 23 day of January, 2003.

  
**Shawna M. Schulte**  
Notary Public   Notary Seal  
STATE OF MISSOURI  
Boone County

My Commission expires: ~~My Commission Expires: Jan. 13, 2004~~



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served by placing same in first-class mail, postage paid, or by hand-delivery, to counsel for parties or record on this 23rd day of January, 2003.

