

In the Matter of Missouri Gas Energy's )  
Application for Waiver Concerning ) Case No. GE-2010-0030  
Commission Rule 4 CSR 240-3.235. )

Comes now Southern Union Company d/b/a Missouri Gas Energy (“MGE” or “Company”), by counsel, and, in response to the Staff Recommendation, states as follows to the Missouri Public Service Commission (“Commission”):

1. On July 31, 2009, the Staff of the Commission filed its Response to Missouri Gas Energy's Application for Waiver from the Requirements of Commission Rule 4 CSR 240-3.235 or, In the Alternative, Motion to Dismiss Rate Case (Staff Recommendation). Among other things, Staff stated that the Commission should consider granting MGE the waiver it requested, subject to several conditions.

2. On August 3, 2009, the Office of the Public Counsel (Public Counsel) filed its response in support of the Staff Recommendation wherein it stated, among other things, that it did not object to a grant of the requested waiver with the conditions listed in the Staff Recommendation.

3. On August 3, 2009, the Commission issued its Order Directing Filing and directed MGE to respond to the Staff Recommendation by August 7, 2009.

4. As stated in its application, MGE believes that it is in compliance with Commission Rule 4 CSR 240-3.235, and will continue to be in compliance as long as MGE completes a new depreciation study and submits it to the Staff, along with a

database and property unit catalog, by June 2010. No such submission is now required.

5. This having been said, MGE does not object to a grant of requested waiver, pursuant to the conditions identified by the Staff in paragraph 17 (a-h) of the Staff Recommendation.

WHEREFORE, MGE respectfully moves the Commission to grant the relief requested in its application by either dismissing the application because no depreciation submission is required or, alternatively, granting the waiver.

Respectfully submitted,



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ATTORNEYS FOR SOUTHERN UNION  
COMPANY D/B/A MISSOURI GAS ENERGY

## CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 7<sup>TH</sup> day of August, 2009, to:

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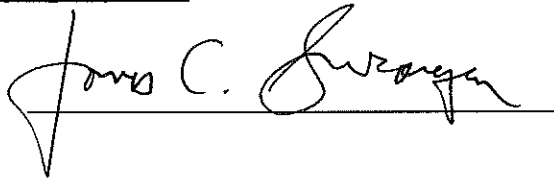
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A handwritten signature in black ink, appearing to read "James C. Swearingen", is written over a horizontal line.