

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
vs.)	<u>Case No. GC-2011-0100</u>
)	Tariff No. YG-2013-0589
Missouri Gas Energy, a Division of Southern Union Company,)	
)	
)	
Respondent.)	

**STAFF'S RECOMMENDATION TO APPROVE PROPOSED
COMPLIANCE TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Recommendation to Approve Proposed Compliance Tariff*, states as follows:

1. On May 1, 2013, the Commission ordered Missouri Gas Energy, a Division of Southern Union Company (MGE), to file new tariff sheets striking a provision that was found to be invalid by the Missouri Court of Appeals.

2. On June 4, 2013, MGE filed its revised tariff with an effective date of July 4, 2013.

3. On June 18, 2013, the Commission directed Staff to file its recommendation by June 25, 2013. Staff has examined the proposed revised liability tariff and is of the opinion that it complies with the Commission's order and should therefore be **APPROVED**.

WHEREFORE, Staff prays that the Commission will accept its recommendation and approve MGE's proposed revised liability tariff, Tariff File

No. YG-2013-0589; and grant such other and further relief as the Commission deems just in the circumstances.

Respectfully submitted,

s/ Kevin A. Thompson
KEVIN A. THOMPSON
Missouri Bar Number 36288
Chief Staff Counsel

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-6514 (Voice)
573-526-6969 (Fax)
kevin.thompson@psc.mo.gov

Attorney for the Staff of the Missouri
Public Service Commission.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **24th day of June, 2013**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson

MEMORANDUM

TO: Missouri Public Service Commission Official Case File,
Case No. GC-2011-0100, File No. YG-2013-0589, Missouri Gas Energy, a division of
Southern Union Company

FROM: Tom Imhoff, Energy Unit - Tariffs/Rate Design

/s/ Thomas M. Imhoff 6/25/2013 /s/ Kevin Thompson 6/25/2013
Energy Unit/Date Staff Counsel's Office/Date

SUBJECT: Staff Recommendation of Missouri Gas Energy's Compliance Liability Tariff Filing

DATE: June 25, 2013

On November 9, 2011, the Missouri Public Service Commission (Commission), issued its Report and Order (Order) in Case No. GC-2011-0100, directing Missouri Gas Energy (MGE or Company), a division of Southern Union Company, to file a new tariff sheet that modifies or removes those terms of the existing tariff ruled unjust and unreasonable in compliance with the Commission's Order. This decision was appealed to the Missouri Court of Appeals, Western District ("Court").

On October 23, 2012, the Court issued its opinion reversing the Commission's decision, and remanded it back to the Commission for further action, consistent with its opinion.

On May 1, 2013, the Commission issued an ORDER TO FILE NEW TARIFF SHEETS directing MGE to file new tariff sheets complying with the Court's holding.

On June 3, 2013, the Commission issued an ORDER DIRECTING SOUTHERN UNION COMPANY TO EXPLAIN WHY IT HAS NOT COMPLIED WITH A COMMISSION ORDER directing MGE to file an explanatory pleading for non-compliance by no later than June 10, 2013.

On June 4, 2013, MGE filed an explanatory pleading along with tariff sheets to comply with the Commission's May 1, 2013, Order.

The Commission's Energy Tariffs/Rate Design Unit Staff ("Staff") has reviewed those tariff sheets and notes that they comply with the Commission's May 1, 2013, Order.

The Staff has verified that this company has filed its annual report and is not delinquent on any assessment. Staff is not aware of any other matter before the Commission that affects, or is affected by, this filing.

P.S.C. MO. No. 1

Sixth Revised SHEET No. R-34 Canceling Fifth Revised SHEET No. R-34

Third Revised SHEET No. R-34.1 Canceling Second Revised SHEET No. R-34.1

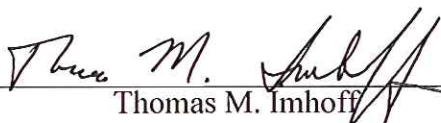
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service)
Commission, Complainant, vs. Missouri Gas)
Energy, a Division of Southern Union)
Company, Respondent) Case No. GC-2011-0100

AFFIDAVIT OF THOMAS M. IMHOFF

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Thomas M. Imhoff, of lawful age, on oath states: that he participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to him; that he has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of his knowledge and belief.



Thomas M. Imhoff

Subscribed and sworn to before me this 24th day of June, 2013.

LAURA BLOCH
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: June 21, 2015
Commission Number: 11203914



Notary Public