

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

In the Matter of Missouri Gas Energy and)	
Its Tariff Filing to Implement a General)	Case No. GR-2009-0355
Rate Increase for Natural Gas Service)	

**STAFF’S RESPONSE TO COMMISSION’S OCTOBER 20 ORDER DIRECTING
FILING AND REQUEST TO ACCEPT LATE FILING**

COMES NOW the Staff and for its *Response To Commission’s October 20 Order Directing Filing and Request to Accept Late Filing* states:

1. On April 2, 2009, in Case No. GR-2009-0355, MGE filed tariff sheets to increase rates by \$32,416,997.
2. On October 16, Missouri Gas Energy (MGE) late filed the Surrebuttal Testimony of David Kirkland.
3. Staff does not oppose the late filing of Mr. Kirkland. Staff bases its non-opposition on the fact that Mr. Kirkland’s testimony will assist the Commission in its understanding of the issues in this case.
4. Counsel for Staff was unaware of the Commission’s Order until October 21 and thus unable to respond in a timely manner and respectfully requests the Commission accept Staff’s pleading as late filed by one day.

WHEREFORE Staff respectfully requests the Commission accept Staff’s filing as late by one day and note Staff’s non-opposition to the late filing of Mr. Kirkland’s Surrebuttal testimony.

Respectfully submitted,

/s/ Lera L. Shemwell

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 21st day of October, 2009.

/s/ Lera L. Shemwell