

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

In the Matter of the Transfer of Assets
Including Much of Southern Union's
Gas Supply Department, to EnergyWorx,
a Wholly Owned Subsidiary.

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Case No. GO-2003-0354

CONCURRING OPINION OF COMMISSIONER CONNIE MURRAY

I vote with the majority today on the long-overdue order to close this case. The case was opened by Staff over sixteen months ago. The report was filed almost seven months ago. I write separately to express my discontent with the tardiness of the Commission's action.

Furthermore, it is clear that this Commission's jurisdiction was neither invoked by the sale of office equipment in Texas, nor by the transfer of personnel. The fact that Section 393.190 does not apply to the facts of this transaction should have been apparent from the start.

Therefore, I concur that the case should be closed.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri,
on this 5th day of August, 2004.