

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

In the Matter of the Application of Missouri Gas	)	
Energy, a Division of Southern Union Company, for	)	<b><u>Case No. GO-2005-0273</u></b>
Approval to Establish an Infrastructure System	)	Tariff No. YG-2005-0615
Replacement Surcharge.	)	

**ORDER GRANTING LEAVE**  
**TO LATE-FILE MGE'S PROPOSED NOTICE**

On February 14, 2005, Missouri Gas Energy filed an application with the Missouri Public Service Commission, requesting that the Commission authorize the company to establish an Infrastructure System Replacement Surcharge (ISRS). Commission rule 4 CSR 240-3.265(9)(A) and (B) requires that the company provide an example notice of the ISRS to the Commission for approval or rejection within 20 days of filing the petition. Although the proposed notice was due on March 6, 2005, MGE filed its motion, with the proposed rule, on March 23, 2005. The effective date of the tariff reflecting the ISRS is June 14, 2005.

**Discussion**

MGE's proposed notice was due on March 6, 2005. Commission rule 4 CSR 240-2.080(15) requires that responsive pleadings be filed within ten days. No party has filed a responsive pleading to MGE's motion and customers will not be affected by MGE filing its proposed notice out of time. Therefore, the Commission finds that the motion reasonable and will grant the requested relief.

**IT IS THEREFORE ORDERED:**

1. That Missouri Gas Energy's motion to file its proposed notice out of time is granted.
2. That this order shall become effective on April 4, 2005.

**BY THE COMMISSION**

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Kennard L. Jones, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4th day of April, 2005.