

**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,	)	<b><u>Case No. GO-2009-0009</u></b>
for approval to change its infrastructure system	)	Tariff File No. YG-2009-0008
replacement surcharge.	)	

**ORDER DIRECTING REPLY TO MGE RESPONSE**

Issue Date: September 8, 2008

Effective Date: September 8, 2008

On July 2, 2008, Missouri Gas Energy, a division of Southern Union Company (hereafter "MGE"), filed an application with the Missouri Public Service Commission under Sections 393.1009, 393.1012 and 393.1015, RSMo Cum. Supp. 2007, requesting that the Commission authorize the company to establish an Infrastructure System Replacement Surcharge for numerous gas utility plant projects. The Commission suspended the tariff for 120 days, until October 30, which is the maximum amount of time the Commission can suspend the tariff.

The Staff of the Commission filed its Recommendation on August 29, in which it stated its disagreements with MGE's filing. MGE responded on September 4, disputing one aspect of the Staff Recommendation; namely, Staff's decision to use calculations for depreciation and deferred tax reserve through October 30, 2008, but basing its calculations on ISRS eligible plant balances as of May 31, 2008.

The Commission will order Staff to expeditiously reply to MGE's response. In the event Staff and MGE cannot agree on how to resolve this dispute, the Commission has reserved a time for a prehearing conference. Because the Commission must rule on

MGE's application no later than October 30, the Commission finds that the public necessity requires that the Commission hold the prehearing conference on less than ten days notice, as permitted by Section 396.390.5 RSMo.

**IT IS ORDERED THAT:**

1. The Staff of the Commission shall reply to the Response to Staff Recommendation filed by Missouri Gas Energy, a division of Southern Union Company, no later than September 10, 2008.

2. A prehearing conference shall be held on September 15, 2008, beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This meeting will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

3. The parties shall jointly prepare and file a proposed procedural schedule no later than September 17, 2008.<sup>1</sup>

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<sup>1</sup> If MGE and Staff resolve their dispute, the Commission will cancel the prehearing conference and the requirement to file a proposed procedural schedule.

4. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 8<sup>th</sup> day of September, 2008.