

**STATE OF MISSOURI
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of Missouri Gas Energy's)	
Increasing Rates for Gas Service Provided)	Case No. GR-2006-0422
to Customers in the Company's Missouri)	
Service Area.)	

APPLICATION TO INTERVENE OUT OF TIME

COMES NOW the **County of Jackson, Missouri ("Jackson County")** pursuant to 4 C.S.R. 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene Out of Time states:

1. The County of Jackson, Missouri is a political subdivision of the State of Missouri served by Missouri Gas Energy.
2. Correspondence, communications, orders and decisions in this matter should be addressed to:

Jeremiah D. Finnegan, Esq.
FINNEGAN, CONRAD & PETERSON, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111

3. MGE is a division of Southern Union Company with its principal office and place of business in Missouri located in Kansas City, Missouri. MGE is a gas corporation as defined in Section 386.020, RSMo. Supp., and as such is subject to the jurisdiction, supervision and control of the Commission for the distribution, transportation and sale of gas in certain portions of the State of Missouri.

4. The case was established on May 2, 2006 when Missouri Gas Energy ("MGE") submitted to the Commission proposed tariff sheets intended to implement a general rate increase for natural gas service provided to its Missouri customers, including such customers located within the boundaries of Jackson County.

5. Applicant is generally opposed to an increase in gas and transportation rates for itself as a customer and on behalf of residents and businesses located within its boundaries unless justified as reasonable and lawful after notice and an opportunity to be heard.

6. The granting of the proposed intervention would serve the public interest and the Applicant is a political subdivision of the State of Missouri. Applicant has been granted intervenor status in several prior MGE rate cases and has been an active participant.

7. On May 12, 2006, the Commission entered an order setting June 1, 2006 as the intervention deadline. Applicant realizes that this application is therefore untimely.

8. Although notice of this case was received by Jackson County before June 1st, because its budget for legal matters was expended, it was necessary for the County to search for other sources of funds and then to transfer funds from other such other accounts before it was possible to obtain the necessary approval of the appropriate county officials, i.e., County Executive and Director of Division of Finance for Jackson County before the County Counselor could authorize this intervention. Unfortunately, this did not occur until today, some 15 days after the deadline for intervention had passed, so that action in filing this application has been delayed.

9. Jackson County is a substantial user of natural gas in its own operations and it and the residents and businesses within its corporate boundaries, whom it represents, would

be adversely impacted by the proposed increase in natural gas rates. Jackson County is generally concerned with the requested increase in the amount sought and with the rate design proposed for distributing the proposed increase among the various customer classes within its corporate boundaries. Jackson County has an interest in the outcome of this proceeding, and an interest different from that of the general public.

10. Granting the proposed intervention would serve the public interest. This application is not filed for the purposes of delay, and if the Commission should grant this application, neither the parties nor the Commission will be prejudiced since applicant will take the case as it stands. At this time, there have been no hearings and direct testimony by Staff, Public Counsel and intervenors has not been scheduled although Jackson County is aware of a proposed procedural schedule, to which it has no objection, which proposes that such testimony be filed on or before October 13, 2006, which should leave sufficient time for any discovery the parties may intend with respect to Jackson County. Furthermore, Jackson County, as in the past, would be represented in the proceeding by the same counsel, who represents Central Missouri State University and the University of Missouri - Kansas City, who have already been granted intervenor status. The Applicant for Intervention asserts that its intervention will be of assistance to the Commission in its deliberations on this subject, and should be accepted out of time for good cause shown, and in the interest of fairness and justice.

11. The granting of the proposed intervention out of time for good cause shown would serve the public interest.

WHEREFORE, for the foregoing reasons, the County of Jackson respectfully requests that the Commission grant its Application to Intervene Out Of Time in this matter.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

/s/ Jeremiah D. Finnegan

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ATTORNEYS FOR COUNTY OF JACKSON,
MISSOURI

ATTORNEY VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

I, Jeremiah D. Finnegan, being first duly sworn, do hereby certify, depose and state that I am the attorney for the County of Jackson, Missouri, which seeks intervention in the above captioned proceeding before the Commission; that I have read the above and foregoing Application to Intervene and that allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

/s/ Jeremiah D. Finnegan
Jeremiah D. Finnegan

Subscribed and sworn to before me, a Notary Public, this 15th day of June, 2006.

/s/ Angela Hedges
Notary Public

Commission No. 05402477
My Commission Expires:

August 15, 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by e-mail to all parties of record.

Dated: June 16, 2006

/s/ Jeremiah D. Finnegan
Jeremiah D. Finnegan