

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

In the Matter of Missouri Gas Energy and)
Its Tariff Filing Designed to Increase the) Case No. GT-2011-0049
Rebate Level for Tank Water Heaters)

**STAFF’S RESPONSE TO COMMISSION ORDER DIRECTING FILING AND
MOTION TO ACCEPT LATE FILING**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Response to the Commission’s September 3 *Order Directing Filing* Staff states that it recommends Commission approval of the tariff filing on an expedited basis. In support thereof Staff states:

1. As a result of a filing by the Office of the Public Counsel, the Commission suspended Tariff No. JG-2011-0051, opened this case and scheduled a prehearing conference, which was held on September 2, 2010.
2. Following the prehearing conference, MGE withdrew JG-2011-0051 in its entirety and submitted new tariff sheets, designated Tariff No. YG-2011-0115 (the “September 2 tariff”), which bear an effective date of October 2, 2010.
3. With its tariff filing, MGE filed a motion for expedited treatment of the September 2 tariffs so that they may become effective as soon as possible.
4. MGE stated that the September 2 tariff filing makes all rebates available to both the Residential (RS) and the Small General Service (SGS) class of customers, but this tariff does not change the level of the SGS water heater rebates, which were in controversy.
5. Staff believes the MGE Energy Efficiency Collaborative (EEC) is in agreement with the entirety of the revised tariff sheets.

6. MGE expects to make another filing to bring the water heater rebate issue raised by OPC to the Commission for decision.

7. Upon noting the assignment of a case number, Staff immediately forwarded a copy of its Recommendation to OPC, Missouri Gas Energy (MGE), and the Department of Natural Resources (DNR). Staff's Recommendation is also attached to this filing, along with Staff witness Dr. Henry Warren's affidavit.

8. Staff respectfully requests the Commission accept this late filing. Staff Counsel was unexpectedly delayed by meetings which ran late.

WHEREFORE the Staff requests the Commission accept Staff's recommendation and approve MGE's tariff sheets which are designed to promote purchase and use of higher efficiency gas appliances.

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 8th day of September, 2010.

/s/ Lera L. Shemwell