

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Missouri Gas Energy's Tariff Sheets                     )  
Designed to Increase the Rebate Level for Tank Water                 ) **File No. GT-2011-0049**  
Heaters.   ) **Tariff No. JG-2011-0051**

## ORDER SHORTENING TIME FOR RESPONSE AND DIRECTING FILING

Issue Date: August 25, 2010

Effective Date: August 25, 2010

On August 24, 2010, the Office of the Public Counsel filed a Motion to Suspend and Motion for Expedited Treatment regarding Tariff File No. JG-2011-0051 submitted by Missouri Gas Energy on July 30, 2010. The motion requests that the Commission suspend MGE's tariff no later than August 27, 2010, so that it does not become effective on August 30, 2010.

The tariff at issue relates to the increase from \$50 to \$100 for rebates for tank gas hot water heating systems meeting Energy Star® criteria. Public Counsel's motion indicates that as a member of the Energy Efficiency Collaborative (EEC) for MGE, it opposed this change as the increased rebate would apply to both the current Energy Star® standard of an Energy Factor (EF) of .62 and the new EF of .67 which will be in effect beginning September 1, 2010. Public Counsel also indicates that clarification is necessary regarding the procedure to be followed when the EEC does not reach a consensus.

Public Counsel indicated that there would be no negative effect on MGE's customers or the general public if the Commission suspends the tariff as requested and that the customers would benefit from a careful study of the implications of the proposed tariff change. While Public Counsel makes these allegations, it did not state if any harm

would result from the tariff sheets becoming effective and being examined after the effective date. Along with directing an expedited response to the tariff sheets, the Commission will also direct Public Counsel to further explain if any harm will occur from allowing the tariffs to become effective and examining them after the effective date. In addition, the Commission will direct Public Counsel to state the legal authority, in addition to the orders of the Commission it has previously cited, under which the Commission should suspend this tariff.

Finally, Public Counsel has requested expedited treatment with only three business days for response and action by the Commission and the company. The Commission notes, however, that the certificate of service provided by Public Counsel indicates that the company was not served with the pleading. The Commission will direct Public Counsel to correct its certificate of service as necessary.

**THE COMMISSION ORDERS THAT:**

1. Any response to the Motion to Suspend and Motion for Expedited Treatment shall be filed no later than August 27, 2010, at 9:00 a.m.
2. The Office of the Public Counsel shall supplement its motion as set out in the body of this order and correct, if necessary, its certificate of service no later than August 27, 2010, at 9:00 a.m.

3. This order shall become effective upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 25th day of August, 2010.