

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Southern Union Company d/b/a Missouri )  
Gas Energy's Tariff Sheets Designed to Implement an ) **File No. GT-2013-0330**  
Experimental Pilot Program ) Tariff No YG-2013-0255

## ORDER DIRECTING NOTICE AND SETTING DEADLINE FOR RESPONSES

Issue Date: December 12, 2012

Effective Date: December 12, 2012

On November 30, 2012, Southern Union Company d/b/a Missouri Gas Energy ("MGE") filed tariffs sheets designed to extend its experimental pilot program called the "Rebuild Joplin Program" until May 1, 2013. The tariff sheets bear an effective date of January 1, 2013. MGE's original tariff sheets for this program went into effect by operation of law on December 9, 2011 in File No. GT-2012-0170.<sup>1</sup>

On December 11, 2012, the Office of the Public Counsel ("Public Counsel") filed a motion to reject, or in the alternative suspend, the tariff sheets that would extend the program. Public Counsel further requests an evidentiary hearing in the event the Commission elects to suspend the tariff sheets. Public Counsel opposes extension of the Rebuild Joplin Program.

The Commission will give notice of Public Counsel's motions to potentially interested persons and entities, and set a deadline for responses. Because this is a non-contested case,<sup>2</sup> interested persons and entities may file responses without a request for formal

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<sup>1</sup> The provisions of the original tariff authorized funding of the program through December 31, 2012, or as long as authorized funds were available, whichever occurred first.

<sup>2</sup> Section 536.010(4) defines a contested case as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing." Unless the tariff is

intervention; although they may file such requests at the time they file their responses at their discretion. Additionally, the Commission shall require MGE and its Staff to file responses. Since the tariff effective date is rapidly approaching, responses will be expedited.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall provide notice of this order and Public Counsel's motions to the parties to Missouri Gas Energy's most recent rate case, File Number GR-2009-0355; MGE's most recent purchased gas adjustment case, File Number GR-2012-0262; and to the prior Rebuild Joplin Program tariff case, GT-2012-0170.

2. The Commission's Data Center shall provide notice of this order and Public Counsel's motions to the members of Missouri Gas Energy's Energy Efficiency Collaborative, which was formed in File Number GT-2008-0005.<sup>3</sup>

3. The Commission's Data Center shall provide notice and serve a copy of this order and Public Counsel's motions upon the county commission of each county within Missouri Gas Energy's service area.

4. The Commission's Public Information Office shall make notice of this order available to the media in the service area of Missouri Gas Energy and to the members of the General Assembly representing this service area.

5. Notice may be provided electronically.

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suspended, no hearing is required in this matter by any law. See Sections 393.140 and 393.150, RSMo 2000.

<sup>3</sup> The Commission is aware that there will be overlap in when sending notice as directed in paragraphs 1 and 2, but wishes to ensure that notice reaches all potentially interested persons and entities.

6. No later than 3:00 p.m., December 17, 2012, the Staff of the Missouri Public Service Commission and Missouri Gas energy shall file responses to Public Counsel's motions.

7. No later than 3:00 p.m., December 18, 2012, any other interested person or entity shall file responses to Public Counsel's motions.

8. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 12<sup>th</sup> day of December, 2012.