

**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of the Application of Missouri Gas Energy,     )  
a Division of Southern Union Company, for a Certificate     )  
of Public Convenience and Necessity Authorizing it to     )  
Construct, Install, Own, Operate, Control, Manager and     ) Case No. GA-2007-0289  
Maintain a Natural Gas Distribution System to Provide     )  
Gas Service in Platte County, Missouri, as an Expansion     )  
Of its Existing Certified Area     )

**MISSOURI GAS ENERGY'S RESPONSE TO  
EMPIRE DISTRICT GAS COMPANY'S APPLICATION TO INTERVENE**

COMES NOW Missouri Gas Energy, a division of Southern Union Company (MGE) by and through its counsel and for its response to the Empire District Gas Company's (EDG) application to intervene states as follows:

1.       EDG disputes MGE has a certificate from the Commission for sections 1, 2, 3, 10, 11 and 12 in Township 52N, Range 35W and sections 4, 5, and 6 in Township 52N, Range 34W, in Platte County, Missouri. MGE does have a certificate in those sections. See, MGE P.S.C. Mo. No. 1, sheet 6.15, effective May 21, 1997.

2.       EDG's assertions regarding sections 1, 2, 3 as well as 4, 5, 6 are not relevant to this proceeding. MGE is seeking a certificate to provide service in sections 13 and 14. MGE only discusses its certificate in adjacent sections 11, 12 and 18 in its application.

3.       EDG indicates that MGE's application does not contain construction plans and specifications which show how or where MGE will construct the new facilities or show where MGE's proposed construction of facilities would be in relation to EDG's existing facilities which could result in a concern regarding public safety. MGE is unaware of any requirement that it needed to provide this information in its application. Moreover, both companies are subject to

the requirement that before any excavation the location of existing facilities must first be identified and marked.

4. MGE has a certificate for the adjacent sections 11 and 12 as well as adjacent section 18 and believes it is in the public interest for MGE to serve sections 13 and 14. EDG does not have a certificate for sections 13 and 14 nor does it have a pending application to serve those sections.

WHEREFORE, MGE requests that this matter be set for hearing and that such hearing approve MGE's requested relief and the Commission issue such further orders and grant such further relief as the Commission deems necessary and appropriate.

Respectfully submitted,

/s/ Roger W. Steiner

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Attorneys for Missouri Gas Energy

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was emailed to the following counsel this 9th day of March, 2007:

Office of the General Counsel  
Missouri Public Service Commission  
Governor State Office Building  
Jefferson City, Missouri 65101

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