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JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOTTONE

September 26, 2002

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

SEP 26 2002

Missouri Public
Service Commission

**RE: Case No. GA-2003-
Application of Missouri Gas Energy**

Dear Sir:

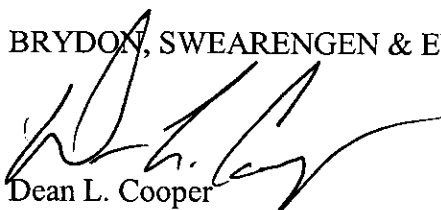
Enclosed for filing in the above-referenced proceeding please find an original and eight copies of the Application of Missouri Gas Energy. Please stamp the enclosed extra copy of each "filed" and return same to me.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/tli

Enclosures

cc: Office of the General Counsel
Office of the Public Counsel
Mike Noack

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

FILED³
SEP 26 2002

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, manage and maintain a natural gas)
distribution system to provide gas service in)
Aurora, Missouri, as an expansion of its existing)
certificated area.)

**Missouri Public
Service Commission**

Case No. GA-2003-

APPLICATION

Comes now Missouri Gas Energy, a division of Southern Union Company,
("MGE" or "Applicant"), by and through its counsel, and for its application pursuant to
Section 393.170 RSMo 2000 and 4 CSR 240-2.060(1) and (4) for a certificate of public
convenience and necessity, respectfully states as follows:

1. Applicant is Missouri Gas Energy, a division of Southern Union Company.
MGE's principal office is located at 3420 Broadway, Kansas City, Missouri 64111.
2. Southern Union Company is a corporation duly incorporated under the
laws of the state of Delaware and conducts business in Missouri under the fictitious
name of Missouri Gas Energy. A copy of a certificate from the Missouri Secretary of
State that Southern Union Company is authorized to do business in Missouri as a
foreign corporation was submitted in Case No. GA-2001-509 and is incorporated by
reference. A copy of a certificate from the Missouri Secretary of State that Missouri
Gas Energy is a registered fictitious name of Southern Union Company was submitted
in Case No. GA-2001-509 and is incorporated by reference. Other than cases that
have been docketed at the Commission, MGE has no pending action or final unsatisfied

judgments or decisions against it from any state or federal agency or court within the past three (3) years that involve customer service or rates. MGE has no annual report or assessment fees that are overdue.

3. MGE conducts the business of a "gas corporation" and provides natural gas service in the Missouri counties of Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Cedar, Pettis, Platte, Ray, Saline, Stone, and Vernon, subject to the jurisdiction of the Missouri Public Service Commission (Commission).

4. All correspondence, communications, notices, order and decisions of the Commission with respect to this matter should be sent to:

Michael R. Noack
Manager, Pricing & Regulatory Affairs
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111
Tel: (816) 360-5560
Fax: (816) 360-5536
Email: Mnoack@mgemail.com

Gary W. Duffy, Attorney at Law
Brydon, Swearingen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102-0456
Tel: (573) 635-7166
Fax: (573) 635-3847
Email: Duffy@Brydonlaw.com

5. Attached hereto and marked as **Appendix A** is a map of the location of the proposed service area that is Section 17, Township 26 North, Range 25 West in

Lawrence County, Missouri. MGE already has a certificate from the Commission to serve sections 2, 6, 7, 8, 18 and 19 in that same Township and Range, in addition to numerous other sections in Lawrence County.

6. Attached hereto and marked as **Appendix B** is a metes and bounds legal description of the proposed boundaries of the certificated area in Lawrence County, consisting of one (1) section.

7. Attached hereto and marked as **Appendix C** is a summary of the plans and specifications for the project including the estimated cost of construction and estimated revenues during the first three years. No particular external financing is anticipated for construction related to this area. Construction methods will follow MGE's customary standards and the rules of the Commission.

8. Attached hereto and marked as **Appendix D** is a list of ten persons residing in or who are landowners within the proposed service area.

9. A Long John Silver's Restaurant and convenience store in Aurora, Missouri has requested that MGE provide them with gas service. The customer is located within Section 17, Township 26 North, Range 25 West, at 103 Pin Oak Dr., Aurora, Missouri, in Lawrence County. Another customer, Cox Medical has requested service at 106 Commerce Dr., Aurora, Missouri in Lawrence County. This is an area where MGE currently does not hold a certificate for gas service from the Commission. MGE has determined that in order to provide natural gas service to these two customers, the most efficient and economical method would be to extend a 4-inch diameter plastic main approximately 4900 feet into this new area. Because MGE does not have a certificate from the Commission for the area where these potential new

customers who have requested service are located, it is necessary for MGE to obtain the requisite permission from the Commission.

10. Applicant will not require any additional franchises or permits from municipalities, counties, or other authorities in connection with the proposed construction other than the usual and customary state highway, railroad and county road permits which will be obtained prior to construction.

11. Applicant's existing rates and regulations for natural gas service contained in its tariff, as the same may change from time to time pursuant to law, will apply to service in the proposed area.

12. The area in which MGE is seeking to be certificated hereby is expected to develop and require natural gas service. Service from a Commission-regulated natural gas supplier is not available in this area at the present time. Since MGE has the ability to provide service in this area by construction of additions to existing facilities, MGE believes that potential new customers should be afforded the opportunity to take service from MGE if they so desire, pursuant to MGE's extension rule.

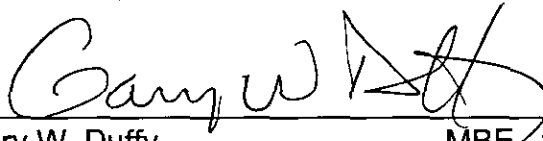
13. No gas transmission lines are required to be constructed as a part of this application.

14. The proposed service area is located within the City of Aurora, Missouri.

15. MGE further states that the potential customers in the proposed new service area desire their natural gas service to commence no later than November 1, 2002, and therefore MGE requests that the shortest possible notice provisions be utilized in order to process this case quickly so that MGE can commence construction as soon as an order is received.

WHEREFORE, Applicant requests an order from the Commission granting it a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain a system for the provision of natural gas service to the public pursuant to its approved rates, rules and regulations, in Section 17, Township 26 North, Range 25 West in Lawrence County, Missouri.

Respectfully submitted,



Gary W. Duffy MBE #24905
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102-0456
(573) 635-7166 telephone
(573) 635-3847 (facsimile)
Email: Duffy@Brydonlaw.com

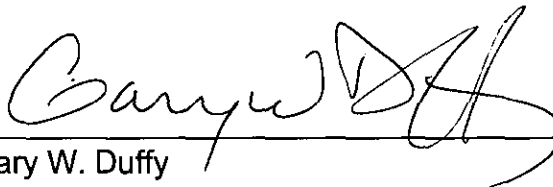
Attorneys for Missouri Gas Energy

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served by hand delivery on the following counsel this ____ day of September 2002.

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

Office of the Public Counsel
Governor State Office Building
Jefferson City, Missouri



Gary W. Duffy

VERIFICATION

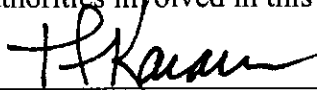
STATE OF PENNSYLVANIA)

) ss

COUNTY OF LUZERNE)

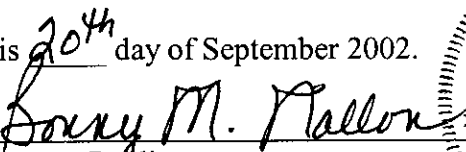
On the 20th day of September 2002, before me appeared Thomas F. Karam, to me personally known, who, being by me first duly sworn, states that he is the President of Southern Union Company and acknowledged that he had read the above and foregoing document and believes that the allegations therein are true and correct to the best of his information, knowledge and belief, and that the above designated attorneys are authorized to file said application on behalf of Southern Union Company.

Thomas F. Karam further states that the area sought in this certificate application is located within the boundaries of Aurora, Missouri, and Southern Union Company has received the required consent of the proper municipal authorities involved in this application.



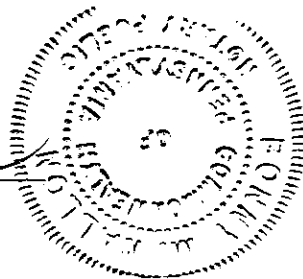
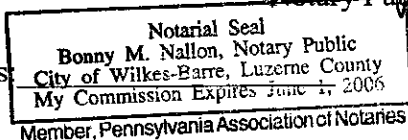
Thomas F. Karam

Subscribed and sworn to before me this 20th day of September 2002.



Notary Public

My Commission expires:



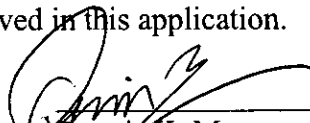
VERIFICATION

STATE OF PENNSYLVANIA)

) ss

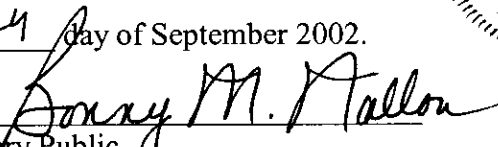
COUNTY OF LUZERNE)

On the 24th day of September, 2002, before me appeared Dennis K. Morgan, to me personally known, who, being by me first duly sworn, states that he is the Secretary of Southern Union Company and states that the area sought in this certificate application is located within the boundaries of Aurora, Missouri, and Southern Union Company has received the required consent of the proper municipal authorities involved in this application.



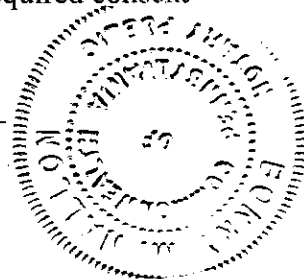
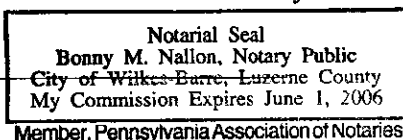
Dennis K. Morgan

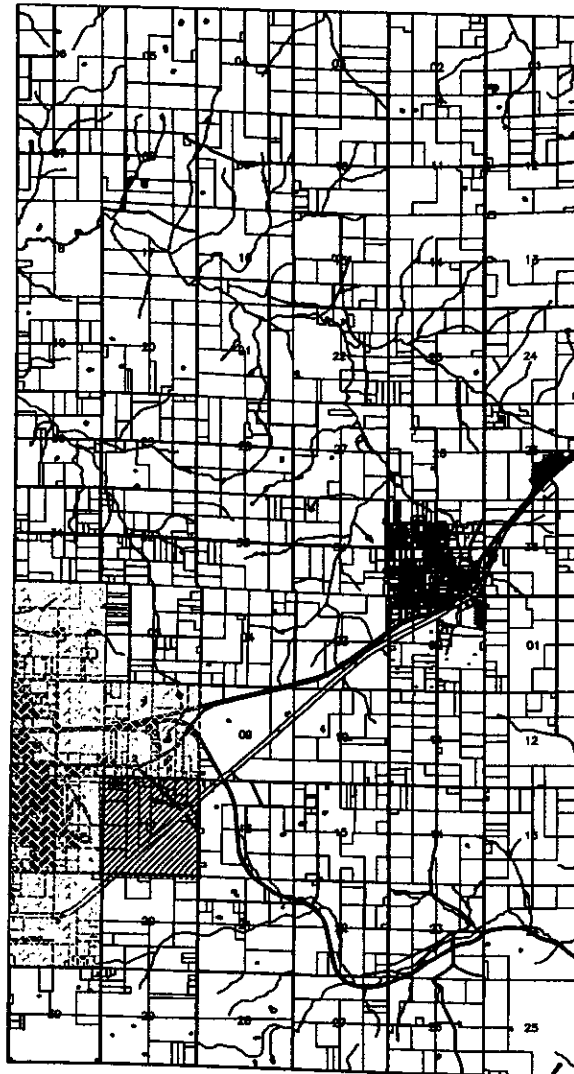
Subscribed and sworn to before me this 24 day of September 2002.




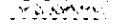
Notary Public

My Commission expires:





Lawrence County Missouri Gas Energy Certification Request

MGE Proposed Territory 
MGE Existing Territory 



Scale 1/2" = 1 Mile

Lawrence County

Township

Range

Section

26n

25w

17

DRAWING NO.: *christian.dwg*

1			
2			
3			



MISSOURI GAS ENERGY

ENGINEERING DEPARTMENT
3420 BROADWAY
KANSAS CITY, MO., 64111

REV.	DESCRIPTION	DATE	BY
DWN. BY:	DESIGNED BY:	W/R#:	
<i>T. McGill</i>	<i>T. McGill</i>		
DATE:	SCALE:	HQ#:	
<i>10/27/1999</i>	<i>1/2" = 5,280'</i>		

*Lawrence County
Missouri Gas Energy
Certification Request*

DISTRICT NO.:

SHEET NO.:

1 OF 1

Appendix B

**MISSOURI GAS ENERGY
APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
Metes And Bounds**

COUNTY	TOWNSHIP & RANGE		SECTIONS
LAWRENCE	T 26 n	R 25 w	SEC 17

ProjectName TO LAY 4900'-4" PLASTIC MAIN

Location BUSINESS 60, EAST OF WOLE RD

WO#

Div/Twn: 0809

City Aurora

TaxCode: 050003

Class: 33 Item: 380 BudgetCategory: 350

DateRouted:

Cust Need Date: 11/17/2000

Budget Description New Main Extension >200' - 3760

Design Date 11/17/2000

Supervisor: JIM CARRIER

MEA:

Engineer D. COX

Approved: 3/20/2001

Reimbursable ☐

JobType: Estimate

Contributions

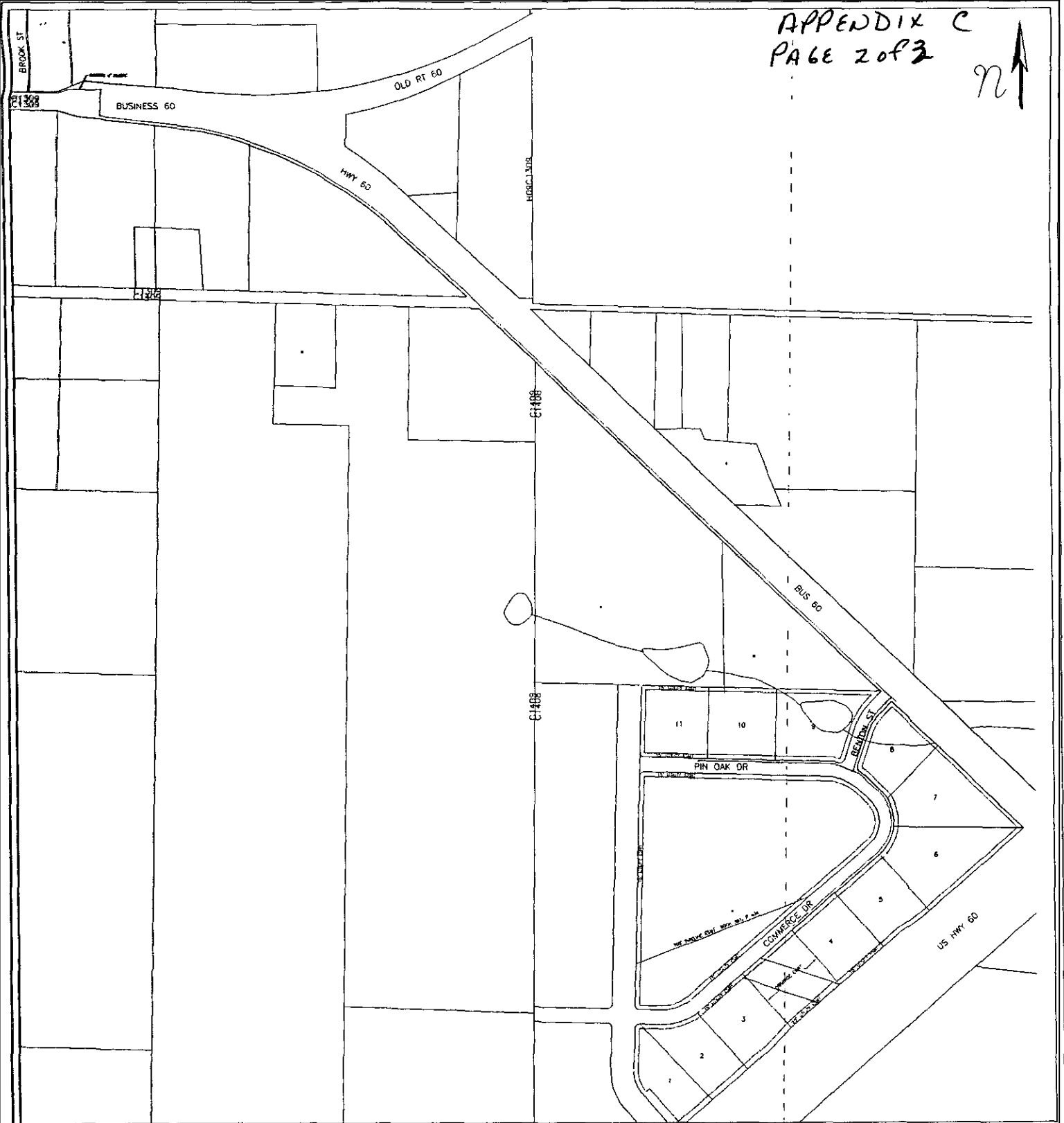
\$0.00

Sales Tax	
State:	\$0.00
City:	\$0.00
County:	\$0.00
Local:	\$0.00
Total Materials:	\$7,741.84
Total Energy:	
Total Taxable Charges:	

Summary	
Subtotal:	\$23,850.93
Labor Overheads@ 96.74%	\$1,658.51
Less 36.60% on O.T.	\$0.00
Stores Loading@ 28.00%	\$1,852.71
Lost Opportunity @ 0.00%	\$0.00
Lost Opportunity Overheads @ 0.00%	\$0.00
Total Taxes:	\$0.00
Construction Overheads@ 46.50%	\$12,630.40
TOTAL:	\$39,792.55
Contrib/Reimburs Amt:	\$0.00
Net To Company:	\$39,792.55

Approvals:

Date	Signature	Date	Signature



WO#: NOT ASSIGNED

COUNTY	TOWNSHIP	RANGE	SECTIONS
LAWRENCE	26N	25W	8 & 17

Proposed 4,900' - 4" plastic main

Dwn by: <i>L. Fenske</i>	Operating Area <i>Monett</i>	File name WOSUMMIT
Date <i>07/18/02</i>	Scale <i>Not to scale</i>	Sheet #: <i>1 of 1</i>

Missouri Gas Energy
207 Pine St
Monett, MO 65708

MA: PO BOX 20

FAX:
417-236-0616

Missouri Gas Energy
Application of Certificate of Convenience and Necessity
Projection of Revenues and Expenses

		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Revenue	(1) \$	1,336.48	\$ 1,336.48	\$ 1,336.48
Expenses				
Oper & Maint		244.80	244.80	244.80
Depreciation		-	-	-
Property Tax		397.93	397.93	397.93
Total Expense		642.73	642.73	642.73

(1) - Rates as approved in GR-2001-292

	NAME	ADDRESS	SEC	TWN	RNG
1	Ronald D. & Carla K. Hedrick	Rt 2 Box 391, Aurora Mo. 65605	17	26	25
2	D. E. & Betty J King	21157 Lawrence 1200, Aurora, Mo. 65605	17	26	25
3	Hazel Henry	20547 Lawrence 2210, Aurora, Mo. 65605	17	26	25
4	Lois Hemphill	1406 E. Highland St., Aurora, Mo. 65605	17	26	25
5	Randale E. & Pamela S. Handshy	1410 E. Highland, Aurora, Mo. 65605	17	26	25
6	William & Kathryn Faucher	1625 S. Engle, Aurora, Mo. 65605	17	26	25
7	Ryan Carter	1929 W. Meadow Lark Ln, Aurora, Mo. 65605	17	26	25
8	Dean Bowling	725 E. Church, Aurora, Mo. 65605	17	26	25
9	Richard Michael & Kirstin Bloss	1670 Porter Ave, Aurora, Mo. 65605	17	26	25
10	Douglas Sr & Lorrain Birchfield	730 Airport Rd, Aurora, Mo. 65605	17	26	25