

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

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           )  
Greene County, Missouri, as an expansion of its        )  
existing certified area.                                        )

Case No. \_\_\_\_\_

**APPLICATION**

COMES NOW Missouri Gas Energy, a division of Southern Union Company (“MGE” or “Applicant”), by and through its counsel, and as its Application pursuant to §393.170, RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.205 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 herein 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, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and:

Michael R. Noack  
Director, Pricing & Regulatory Affairs  
Missouri Gas Energy  
3420 Broadway  
Kansas City, Missouri 64111  
Telephone: (816) 360-5560  
Facsimile: (816) 360-5536  
Email: mnoack@mgemail.com

5. Dean Thompson has requested that MGE provide natural gas service to a new residential home he is building. The new home is to be located within Section 28, Township 28 North, Range 23 West in Greene County. This is an area where MGE currently does not hold a certificate for natural gas service from the Commission.

6. Attached hereto and marked as **Appendix A** is a map of the location of the proposed service area that is Section 28, Township 28 North, Range 23 West in Greene County, Missouri. MGE already has a certificate from the Commission to serve adjacent sections 20, 21, 22 and 29 in that same Township and Range, in addition to numerous other sections in Greene County.

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

8. Attached hereto and marked as **Appendix C** is a map and description of the plans for the project including the estimated cost of construction. The project will be paid for by the customer and no external financing for construction related to this area will be necessary.

Construction methods will follow MGE's customary standards and the rules of the Commission.

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

10. Because MGE does not have a certificate from the Commission for the area where the potential customers are located, it is necessary for MGE to obtain the requisite permission from the Commission.

11. 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.

12. 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.


13. The area in which MGE is seeking to be certificated hereby is expected to develop and require natural gas service. Service from a 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. These facts support a finding that the granting of the application is required by the public convenience and necessity.

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

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 28, Township 28 North, Range 23 West in Greene County, Missouri.

Respectfully submitted,



Dean L. Cooper MBE #36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
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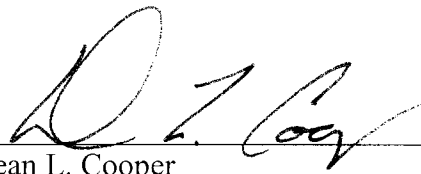
Attorneys for Missouri Gas Energy

#### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, to the following counsel this 21<sup>st</sup> day of October, 2004:

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

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Governor State Office Building  
Jefferson City, Missouri 65101

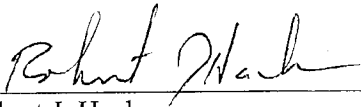


Dean L. Cooper

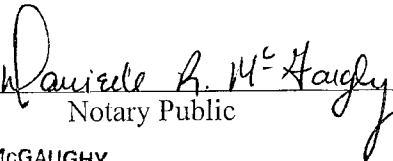
**AFFIDAVIT**

STATE OF MISSOURI                    )  
  ) ss  
COUNTY OF Jackson                )

I, Robert J. Hack, having been duly sworn upon my oath, state that I am the Vice President of Missouri Gas Energy, that I am duly authorized to make this affidavit on behalf of Missouri Gas Energy, and that the matters and things stated in the foregoing application and appendices thereto are true and correct to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
Robert J. Hack

Subscribed and sworn to before me this 19<sup>th</sup> day of October, 2004.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: **DANIELLE R. McGAUGHY**  
Notary Public - State of Missouri  
Commissioned in Jackson County  
~~My Commission Expires Nov. 7, 2004~~