

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

In the Matter of Missouri Gas Energy's)	
Purchased Gas Adjustment (PGA))	
Factors to be Audited in its 2002-2003)	
Actual Cost Adjustment)	Case No. GR-2003-0330
)	
And)	
)	
In the Matter of Missouri Gas Energy's)	Case No. GR-2002-348
Purchased Gas Adjustment Tariff)	
Revisions to be Reviewed in its)	
2001-2002 Actual Cost Adjustment)	

MOTION TO CONSOLIDATE CASES AND PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Missouri Public Service Commission (Commission) and Missouri Gas Energy (MGE), and on behalf of the parties to the above-captioned cases, file this Motion and state as follows:

1. 4 CSR 240-2.110(3) permits the Commission to consolidate cases that “involve related questions of law or fact...” in order “...to avoid unnecessary costs or delay.” Because Case No. GR-2003-0330 involves the MGE 2002-2003 Actual Cost Adjustment (ACA) and contains issues involving capacity reserve and Kansas Pipeline and because Case No. GR-2002-348 similarly involves MGE’s 2001-2002 ACA and issues of the same nature, Staff recommends that the Commission issue an order to consolidate the above-captioned cases under the caption of Case No. GR-2002-348, et. al. The consolidation of these cases serves the interest of Commission efficiency in the litigation of like issues.

2. As a result of pre-hearing discussions among the parties in both cases, the Staff and MGE have agreed that the issues that are anticipated to be litigated are factually similar and applicable to both of MGE’s ACA periods. For example, the anticipated issue of alleged excess

capacity applies to both cases, appears to be based on similar facts, and therefore should be litigated only once in the interests of efficiency and expediency.

3. With respect to the Kansas Pipeline (KPC) issues in Case No. GR-2003-0330 (the 2002-2003 ACA period), the Staff recommends that the Commission treat these issues in the same manner that the Commission treated them in GR-2002-348 (the 2001-2002 ACA period). In GR-2002-348, the December 21, 2004 *Order Denying Motion To Strike And Directing Filing* held “The Commission determines that the [KPC] issues should be bifurcated to allow the Commission to move forward with as much of the process as practical.” Without addressing the appropriateness of the bifurcation, or changing their respective positions on that matter, the other parties nevertheless do not object to the bifurcation being applied consistently in conjunction with the consolidation of the cases.

4. In compliance with previous Commission orders in Cases GR-2002-348 and GR-2003-0330, the Staff proposes the following procedural schedule for the non-KPC issue(s):

Direct Testimony (Simultaneous):	June 30, 2005
Rebuttal Testimony (Simultaneous):	August 29, 2005
Surrebuttal Testimony (Simultaneous):	October 13, 2005
List of Issues, Witness List and Schedule, and Order of Cross Examination:	October 20, 2005
Statements of Position:	October 27, 2005
Hearing, commencing at 8:30 a.m. first day:	November 1 - 4, 2005

The parties to both GR-2003-0330 and GR-2002-348 have expressed agreement with this proposed procedural schedule based on the understanding that the KPC issue(s) will be bifurcated out and addressed at a later date if necessary.

5. In Case No. GR-2002-348 the Commission granted MGE's request for a standard protective order. For efficiency purposes, MGE and Staff recommend that the Commission take notice of this protective order and extend it to the consolidated proceedings.

6. The Staff and MGE have discussed this Motion with the parties to the above-captioned cases and Staff is filing this Motion with the permission of the parties to these cases.

WHEREFORE, consistent with 4 CSR 240-2.110(3) and for the reasons stated above, the Staff respectfully requests that the Commission issue an order:

- (1) consolidating cases GR-2003-0330 and GR-2002-348,
- (2) bifurcating the KPC issue from GR-2003-0330 consistent with the bifurcation order in GR-2002-348,
- (3) adopting the proposed procedural schedule set forth above for the non-KPC issue(s), and
- (4) applying the protective order that was issued in GR-2002-348 to the consolidated proceedings.

Respectfully submitted,

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/s/ Robert S. Berlin

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 7th day of April 2005.

/s/ Robert S. Berlin