

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

Staff of the Missouri Public Service Commission)	
Complainant,)	
)	
v.)	Case No. GC-2006-0378
)	
Missouri Pipeline Company, LLC)	
Missouri Gas Company, LLC)	
Omega Pipeline Company, LLC)	
Mogas Energy, LLC)	
United Pipeline Systems, Inc., and)	
Gateway Pipeline Company, LLC,)	
Respondents.)	

REQUEST FOR MEDIATION

COME NOW Respondents Missouri Pipeline Company, LLC, Missouri Gas Company, LLC, Mogas Energy, LLC, United Pipeline Systems, Inc. and Gateway Pipeline Company, and pursuant to 4 C.S.R. 240-2.125(2) hereby file their written request that this Complaint be referred to a presiding officer or a neutral third party mediator for the purpose of identifying issues and mediating the complaint. In support of their request Respondents state as follows:

1. This matter involves the allegations of the Commission Staff that Respondents Missouri Pipeline Company, LLC (MPC) and Missouri Gas Company, LLC (MGC) have excessive earnings; have violated the Affiliate Transactions Rule; have charged rates not authorized by tariff; as well as allegations that the Commission should assert jurisdiction over Respondents Gateway Pipeline, LLC (Gateway), Omega Pipeline Company, LLC (Omega), Mogas Energy, LLC (Mogas), and United Pipeline Systems, Inc. LLC (UPSI).

Respondents believe that all of the issues raised may be satisfactorily addressed and resolved fairly and to the satisfaction of all parties through the process of voluntary mediation.

2. 4 C.S.R. 240-2.125 (5) provides that

(5) At any time, upon the request for mediation or upon the issuance of an order requiring mediation, the commission may order that all other actions on the case cease and all time limitations be tolled pending the completion of the mediation process.

Respondents request that the Commission grant the relief provided in the foregoing regulation. Respondents MPC and MGC are small companies, collectively with only a few full-time employees. Respondents thus have limited ability to continue safely operating the pipelines and simultaneously engage in intense litigation. Further, the cost of fully litigating a contested complaint case would be significant and is potentially unnecessary.

3. Ordering mediation at the early stage of this case will save time and resources of the Commission and all parties. Respondents believe that there is a substantial likelihood that even if all issues cannot be resolved the scope of the contested issues may be substantially narrowed. Mediation after discovery and extensive pleadings with parties entrenched in their positions would defeat a critical goal of mediation, *i.e.*, to avoid needless costly litigation through third party mediation efforts.

4. Finally, because no procedural schedule has yet been established, no party could possibly be prejudiced by ordering all other actions in this case to cease and all time limitations be tolled pending the completion of the mediation process. In addition, at the Commission's March 30, 2006 Agenda meeting, the Respondent's representatives indicated a desire to mediate, to which the Commission appeared receptive, so this request is to be expected and not prejudicial to Staff or other parties.

WHEREFORE, Respondents request that the Commission grant this Request for Mediation and stay all other action in this case, including without limitation, interventions, answers, formal discovery, etc., until the mediation process is complete.

Respectfully submitted,

LATHROP & GAGE, L.C.

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ATTORNEYS FOR RESPONDENTS

Dated: April 14, 2006

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Request for Mediation has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 14th day of April, 2006, to:

*** Case No.** GC-2006-0378

<u>Name of Company</u> <u>Name of Party</u>	<u>Email</u> <u>Phone</u> <u>Fax</u>	<u>Mailing</u> <u>Address</u>	<u>Street</u> <u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
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