

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

In the Matter of Missouri Gas Energy's)	
Tariffs to Implement a General Rate)	Case No. GR-2004-0209
Increase for Natural Gas Service)	

**OBJECTION TO NON-UNANIMOUS STIPULATION AND AGREEMENT
BETWEEN THE OFFICE OF PUBLIC COUNSEL,
THE CITY OF JOPLIN AND THE STAFF**

COMES NOW Missouri Gas Energy, a division of Southern Union Company d/b/a ("MGE" or the "Company") and for its Objection to Non-Unanimous Stipulation and Agreement Between the Office of Public Counsel, the City of Joplin and the Staff On Weatherization Programs, Low Income Energy Assistance Programs and PAYS®, respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. On July 7, 2004, the Commission Staff ("STaff") and the Office of the Public Counsel ("Public Counsel") filed a Non-Unanimous Stipulation and Agreement Between the Office of Public Counsel, the City of Joplin and the Staff On Weatherization Programs, Low Income Energy Assistance Programs and PAYS® (the "Non-Unanimous Stipulation"). The Non-Unanimous Stipulation purported to reflect an agreement between the Staff, the City of Joplin and Public Counsel as to weatherization and experimental low income programs, as well as to the possible implementation of a PAYS® system.

2. Commission Rule 4 CSR 240-2.115(2)(B) states that "[e]ach party shall have seven (7) days from the filing of a nonunanimous stipulation and agreement to file an objection to the nonunanimous stipulation and agreement. Failure to file a timely objection shall constitute a full waiver of that party's right to a hearing."

3. MGE hereby objects to the Non-Unanimous Stipulation and requests a hearing concerning the subjects addressed by the Non-Unanimous Stipulation. MGE further recognizes that the hearing on these issues was held by the Commission on July 2, 2004, and that there is no need for any additional hearing.

4. MGE's objection is not based on any predisposition against participation in, and support for, low-income programs. In fact, the record evidence establishes that MGE has a lengthy history of participating in and supporting low-income programs and that MGE is willing to continue devoting resources to such efforts. *See* Exh. 10, Noack Rebuttal, pp. 30-32. MGE's objection is based on a belief that the new and/or changed endeavors proposed by the Staff and Public Counsel will unduly tax MGE's existing resources and, as a consequence, may prove counterproductive to existing low-income initiatives.

5. The consequence of MGE's objection is described in Commission Rule 4 CSR 240-2.115(2)(D) as follows:

A nonunanimous stipulation and agreement to which a timely objection has been filed *shall be considered to be merely a position of the signatory parties to the stipulated position*, except that no party shall be bound by it. All issues shall remain for determination after hearing.

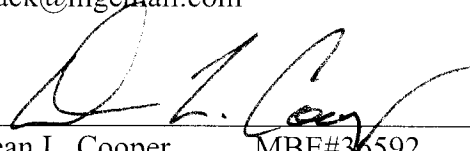
(Emphasis added).

WHEREFORE, MGE respectfully objects to the Non-Unanimous Stipulation and Agreement Between the Office Public Counsel, the City of Joplin and the Staff On

Weatherization Programs, Low Income Energy Assistance Programs and PAYS® .

Respectfully submitted,

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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 hand-delivered, mailed by U.S. mail or electronically transmitted on this 7th day of July, 2004, to all parties of record.

