

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

In the Matter of the Application of Missouri Gas     )  
Utility, Inc. 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 natural     )  
gas service in parts of Harrison, Daviess and         )  
Caldwell Counties, to acquire the Gallatin and       )  
Hamilton, Missouri natural gas systems and to       )  
encumber the acquired assets.                            )

Case No. GO-2005-0120

**MOTION TO STRIKE EFIS ITEM NO. 11**

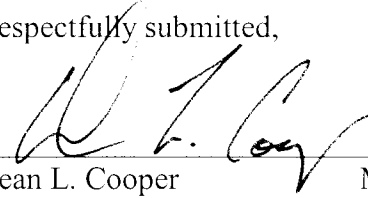
Comes now Missouri Gas Utility, Inc. (“MGU” or “Company”), and, moves to strike EFIS Item No. 11 in this case. In support thereof, MGU states as follows to the Missouri Public Service Commission (“Commission”):

1. On November 15, 2004, MGU filed its Brief Concerning Jurisdiction with the Commission. This filing was made through EFIS.
2. MGU’s counsel inadvertently made two filings. These filings are identified in EFIS as items numbers 11 and 12. Item No. 12 contains the brief MGU’s brief in this case and the brief that was forwarded to the parties. Item No. 11 is a document that was not intended to be filed in this case. It is an earlier draft of the brief that is not complete.
3. MGU’s counsel has been informed that a motion is necessary to correct this erroneous filing. Therefore, MGU moves to strike Item No. 11 from the EFIS docket.
4. MGU believes that good cause for this action exists in that the Commission’s record will otherwise contain a document that should not have been filed in this case.

WHEREFORE, MGU respectfully requests that the Commission strike Item No. 11 in

this case from the EFIS system.

Respectfully submitted,



Dean L. Cooper MBE#36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
(573) 635-3847 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

ATTORNEYS FOR MISSOURI GAS UTILITY, INC.

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, or sent by electronic mail, on November 23, 2004, to the following:

Robert Franson  
Office of the General Counsel  
Governor Office Building, 8<sup>th</sup> Floor  
Jefferson City, Mo 65101

Douglas Micheel  
Office of the Public Counsel  
Governor Office Building, 6<sup>th</sup> Floor  
Jefferson City, MO 65101

Robert Cowherd  
Chapman, Cowherd, et al.  
P.O. Box 228  
Chillicothe, Missouri 64601

