

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

MAY 15 2003

In the Matter of Missouri Gas Energy request to)
waive certain tariff provisions related to) GT-2003-0490
connection and reconnection charges)

Missouri Public
Service Commission

MOTION TO ACCEPT STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its recommendation in this case states:

1. On May 14, 2003, Missouri Gas Energy (MGE) filed tariff sheets with the Missouri Public Service Commission requesting a waiver for connection and reconnection fees necessitated by storm damage from violent weather.
2. Staff recommends approval of the waiver in the attached Memorandum. The tariff has a termination date of December 31, 2003.
3. Staff recommends that good cause exists for approval of the tariff changes with less than thirty days' notice.

WHEREFORE, the Staff respectfully requests that the Commission issue an order in accordance with the recommendations in the Staff's Memorandum approving the tariffs on an expedited basis.

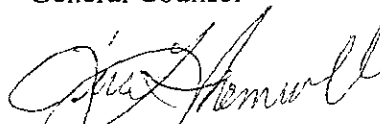
RECEIVED

MAY 15 2003

UTILITY SERVICES DIV
PUBLIC SERVICE COMMISSION

Respectfully submitted,

DANA K. JOYCE
General Counsel

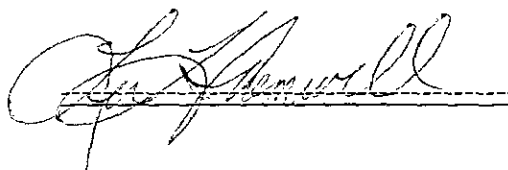


Lera L. Shemwell
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Missouri Bar No. 43792

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed emailed, sent by facsimile or hand-delivered to all counsel of record as shown on the attached service list this 15th day of May 2003.



MEMORANDUM

TO: Missouri Public Service Commission Official Case File,
Case No. GT-2003-0490 File No. YG-2003-1983, Missouri Gas Energy

FROM: Tom Imhoff, Energy Department - Tariffs/Rate Design *TIE*

Tom Imhoff 5/15/03 *Joe Schmitt 5-15-03*
Energy Department/Date General Counsel's Office/Date

SUBJECT: Staff Recommendation on Missouri Gas Energy's Application For Waiver and Motion For Expedited Treatment

DATE: May 15, 2003

On May 14, 2003, Missouri Gas Energy (MGE or Company), a division of Southern Union Company, of Kansas City, Missouri filed a tariff sheet to become effective on June 14, 2003. MGE filed an application for a waiver from certain tariff provisions and expedited treatment of the application seeking an effective date of May 19, 2003.

MGE's Waiver Application and Motion for Expedited Effective Date (Waiver) requests Commission approval to waive connection and /or reconnection charges necessitated by property damage incurred by MGE customers due to the May 2003 tornadoes. MGE's request for Waiver addresses the immediate needs and will provide some measures of economic relief for its customers.

The Commission's Energy-Tariff/Rate Design Staff (Staff) has verified that this company has filed its annual report and is not delinquent on any assessment. Staff is not aware of any other matter before the Commission that affects or is affected by this filing; however, the following Case Nos. are pending before this Commission.

Missouri Gas Energy

GR-98-167	GA-2001-509	GA-2002-377	JG-2003-0051
GR-99-304	GR-2001-382	GO-2002-452	
GR-2000-425	GS-2002-345	GA-2002-1090	
GS-2001-224	GR-2002-348	GT-2003-0033	

Therefore, Staff recommends that the following tariff sheet, as filed on May 14, 2003, go into effect on and after May 19, 2003, the requested effective date:

P.S.C. MO. No. 1

Third Revised SHEET No. R-43, Canceling Second Revised SHEET No. R-43

Copies: Director - Utility Operations Division
Director - Research and Public Affairs Division
Director - Utility Services Division

MO PSC Case No. GT-2003-0490

OFFICIAL CASE FILE MEMORANDUM

PAGE 2 OF 2

General Counsel

Manager - Financial Analysis Department

Manager - Procurement Analysis Department

Manager - Energy Department

Robert J. Hack – Vice President of Pricing & Regulatory Affairs (MGE)

Dean Cooper – Attorney with Brydon, Swearngen & England P.C.

Office of the Public Counsel

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OF COUNSEL
RICHARD T. CIOTTONI

May 14, 2003

HAND DELIVERED

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Governor State Office Building
Jefferson City, MO 65101

FILED³
MAY 14 2003
Missouri Public Service Commission

Dear Judge Roberts:

Enclosed for filing herein are an original and three (3) copies of the following revised tariff sheet:

Third Revised Sheet No. R-34, Canceling Second Revised Sheet No. R-34

This revised tariff sheet bears an issue date of May 14, 2003, and a proposed effective date of June 14, 2003.

The purpose of the revised tariff sheet is to provide some measure of economic relief to MGE customers who have suffered property damage due to the May 2003 tornadoes by waiving connection and/or reconnection charges necessitated by such property damage.

Given the immediate needs of the customers impacted by the recent storms, Missouri Gas Energy hereby also files an original and eight copies of a Motion for Expedited Effective Date that requests that the Commission make this tariff effective on May 19, 2003.

Thank you in advance for bringing this filing to the attention of the Commission and the appropriate Commission personnel.

If you have any questions, then please do not hesitate to contact me.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/tli
Enclosure
cc: Office of the Public Counsel
Robert Franson
Tom Imhoff

P.S.C. MO. No. 1
Canceling P.S.C. MO. No. 1

Third Revised ✓
Second Revised ✓

SHEET No. R-34 ✓
SHEET No. R-34 ✓

Missouri Gas Energy,
a Division of Southern Union Company

For: All Missouri Service Areas

GENERAL TERMS AND CONDITIONS FOR GAS SERVICE

3.19 COMPANY LIABILITY: Customer shall save Company harmless from all claims for trespass, injury to persons, or damage to lawns, trees, shrubs, buildings or other property that may be caused by reason of the installation, operation, or replacement of the service line, yard line and other necessary appurtenances to serve customer unless it shall affirmatively appear that the injury to persons or damage to property complained of has been caused by willful default or negligence on the part of Company or its accredited personnel.

Company may refuse or discontinue service if an inspection or test reveals leakage, escape or loss of gas on customer's premises. Company will not be liable for any loss, damage or injury whatsoever caused by such leakage, escape or loss of gas from customer's service line, yard line, ancillary lines, house piping, appliances or other equipment.

new { 3.20 Company will waive all connection or reconnection charges necessitated because gas service was disconnected due to property damage incurred as a result of the May 2003 tornadoes. If so requested, customers should be prepared to provide proof of damage sustained during the tornadoes. This waiver authority shall expire on December 1, 2003.

DATE OF ISSUE May 14, 2003 ✓
month day year

DATE EFFECTIVE June 14, 2003 ✓
month day year

ISSUED BY Robert J. Hack

Vice President, Pricing and Regulatory Affairs
Missouri Gas Energy, Kansas City, MO. 64111

Service List for
Case No. GT-2003-0490
Tariff No. YG-2003-1983
Verified: May 15, 2003 (SW)

Office of the Public Counsel
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