

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

Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. GC-2006-0491
	)	
Missouri Pipeline Company, LLC;	)	
Missouri Gas Company, LLC;	)	
	)	
Respondents.	)	

**MOTION FOR EXPEDITED TREATMENT**

Comes now Missouri Pipeline Company and Missouri Gas Company ("Respondents") and pursuant to 4 CSR 240-2.080(16) hereby request that the Missouri Public Service Commission (the "Commission") rule on Respondents' Motion for Stay on an expedited basis.

In support of this Motion, Respondents state as follows:

1. On October 11, 2007, the Commission issued its Revised Report and Order in this matter.
2. On October 19, 2007, Respondents filed an Application for Rehearing ("Application") in response to the Commission's Revised Report and Order.
3. On October 19, 2007, Respondents also filed a Motion for Stay ("Motion"), requesting that the Commission stay its Revised Report and Order.
4. The Commission's ruling on the stay is critical to avoid irreparable harm to Respondents. *See* Exhibit A.
5. Respondents will suffer irreparable harm if the Revised Report and Order is not stayed for the following reasons:

- A. The Adjusted Rates are not economically viable for Respondents.
  - B. The Adjusted Rates provide a negative return on capital.
  - C. The Adjusted Rates will not allow for reservations out of income for surplus and contingencies.
  - D. The Adjusted Rates will deplete and immediately exhaust Respondents' reserves.
  - E. The Adjusted Rates will not allow Respondent to pay interest on its senior secured debt.
  - F. The Adjusted Rates will not allow Respondent to pay the minimum principle repayment on its senior secured debt.
  - G. The Adjusted Rates will not allow Respondents to pay currently assessed property taxes due December 31, 2007.
  - H. The Adjusted Rates will not allow Respondents to continue operations as they will not be able to pay employees which are required to comply with minimum operating standards established by the Department of Transportation.
  - I. The Adjusted Rates will ultimately render Respondents insolvent.
6. The Commission has not yet ruled on Respondents' Application for Rehearing so a stay is appropriate in this instance.
7. Certain customers are seeking to enforce the Adjusted Rates imposed in the Commission's Revised Report and Order which will lead to immediate and irreparable harm to Respondents.

8. This ruling is critical so that Respondents can pursue relief in circuit court before any further harm is sustained.

9. This pleading is being filed as soon as practicable after the subject Motion was filed and docketed.

**WHEREFORE**, for the foregoing reasons, Respondents respectfully request that the Commission grant this Motion for Expedited Treatment and rule on Respondents' Motion by October 24, 2007.

Dated: October 22, 2007

Respectfully submitted,

LATHROP & GAGE, L.C.

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***Attorneys for Respondents***

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing Respondents' Initial Post Hearing Brief has been transmitted by e-mail or mailed, First Class, postage prepaid, this 22nd day of October 2007, to:

**\* Case No. GC-2006-0491**

<b>Name of Company Name of Party</b>	<b>Email Phone Fax</b>	<b>Mailing Address</b>	<b>Street Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
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**/s/ Paul S. DeFord**

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