BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In re Missouri Gas Energy's Revised Transportation Tariff File No. GT-2010-0261
Tariff No. JG-2010-0565

JOINT MOTION TO LATE FILE PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and, on behalf of itself and the active parties to this proceeding, including Missouri Gas Energy, a division of Southern Union Company (MGE), Office of the Public Counsel, Midwest Gas Users' Association, Oneok Energy Marketing Company, and Constellation NewEnergy-Gas Division, LLC, and move the Commission to permit the attached Proposed Procedural Schedule to be late filed. In support thereof Staff respectfully states:

1. On March 15, 2009, MGE filed with the Commission proposed tariff sheets bearing an effective date of September 1, 2010 lowering the threshold for transportation service eligibility to include larger customers within the LGS rate class of MGE, pursuant to the *Partial Stipulation and Agreement* filed, and approved by the Commission, in Case No. GR-2009-0355.

2. On March 23, 2010, the Commission issued its *Notice and Order Setting Prehearing Conference* in this matter. Among other things, the Commission in its Order scheduled an early prehearing conference on April 7, 2010, and directed that the parties file a proposed procedural schedule on or before April 14, 2010.

3. On April 7, a prehearing conference was held in this matter, with a followup meeting of the parties held on April 16. 4. On April 19, 2010, the Commission issued its *Order Granting the Parties Request for Extension of Time to File Procedural Schedule,* giving the parties until April 30, 2010 to file their proposed procedural schedule. The parties continue to discuss possible settlement of this matter.

5. The Active Parties to this case request the Commission accept this late filed proposed procedural schedule.

6. Settlement negotiations were extended and when it became apparent a procedural schedule may be necessary, the parties proceeded to prepare the above proposal.

7. No one will be prejudiced by the Commission granting this request.

WHEREFORE on behalf of the Active Parties to this case, Staff moves the

Commission to permit the Parties to late file the attached Proposed Procedural Schedule.

Respectfully submitted,

<u>/s/ Lera L. Shemwell</u>

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 4th day of May, 2010.