

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

Trigen-Kansas City Energy Corporation's)	
Application for Expansion of its Certificate of)	
Convenience and Necessity to Provide Steam)	Case No. HA-2006-0294
Heat Service in Kansas City, MO)	

**MGE'S MOTION FOR RECONSIDERATION AND
RESPONSE TO STAFF'S MOTION FOR EXPEDITED PROCEDURAL SCHEDULE**

Comes now Missouri Gas Energy (MGE), by its attorneys, and respectfully requests that the Commission reconsider its Order of April 13, 2006, and, thereafter, grant the Motion for Expedited Procedural Schedule and Other Procedural Matters filed herein by the Staff of the Commission.

1. On April 12, 2006, MGE filed its request for an extension of the filing deadlines in this matter. Counsel for MGE had contacted the other parties regarding MGE's request prior to filing. Counsel for Trigen indicated opposition. Counsel for KCP&L stated that intervenor KCP&L was not opposed to the request. Thereafter, Trigen and Truman Medical Center filed in opposition to the request. By Order of April 13, 2006, the Commission denied MGE's request.

2. On April 13, 2006, Staff filed its Motion for Expedited Procedural Schedule and Other Procedural Matters and proposed an alternative procedural schedule. MGE supports this Staff motion.

3. In support of its Motion for Reconsideration and as support for a modest amendment to the procedural schedule, MGE states that Trigen has provided information to MGE in the form of data request ("DR") responses that seems to be substantially inconsistent with, and perhaps even contradictory to, other information Trigen has provided to MGE.

4. Specifically, Trigen has provided DR responses to MGE as follows:

- In DR No. 6, MGE asked, among other things, whether Trigen currently serves Cargill Incorporated on Rochester Street? In response, Trigen answered, among other things, "No." (See Exhibit A-1, attached hereto)
- In DR No. 7, MGE asked if Trigen anticipated providing new or expanded service to Cargill in the near future? In response, Trigen answered, among other things, "Yes." (See Exhibit A-2, attached hereto)
- In DR No. 8, MGE asked if the Cargill plant on Rochester Street is currently within the certificated service territory of Trigen? In response, Trigen answered, among other things, "No, however, the delivery point of the anticipated service to Cargill will be inside the Trigen plant." (See Exhibit A-3, attached hereto)

5. Through its responses to MGE DR Nos. 6, 7 and 8, Trigen has stated its intent to serve a customer situated outside its certificated service territory by virtue of a delivery point inside Trigen's generating station (and, accordingly, inside Trigen's certificated service territory).

6. However, Trigen has also signed a "Contract To Relocate Gas Distribution Facilities" with MGE calling for the replacement of 50 feet of plexco (i.e., polyethylene) gas main with 50 feet of steel gas main (at Rochester Avenue and Nicolson Avenue) for the purpose of "fulfilling MGE's Gas Utilization Standards requiring 10 ft. of steel line on either side of high pressure steam line." (See Attachment B-1) This replacement activity is outside of Trigen's certificated service territory. Thermal North America, Inc. (Trigen's owner) paid MGE for this replacement work by check dated April 6, 2006. (See Attachment B-2)

7. This inconsistent information provided by Trigen to MGE indicates that Trigen may currently be engaged in construction activities outside of its certificated service territory. MGE believes that this is a matter warranting investigation by the Staff, and a modest amendment to the procedural schedule should permit that investigation to occur.

8. As the hearing date will not be changed, Trigen and Truman Medical Center should not be prejudiced or harmed in any way by a modest extension of the filing deadlines.

WHEREFORE, MGE respectfully requests that the filing deadlines be extended as set out in its Request for Extension of Filing Deadlines or, alternatively, be extended as set out in Staff's Motion for Expedited Procedural Schedule and Other Procedural Matters.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, sent by U.S. mail, or electronically transmitted on this 13th day of April, 2006, to all parties of record.

