

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

In the matter of the application of Missouri Gas)
Utility, Inc., for a certificate of convenience and)
necessity authorizing it to construct, install, own,)
operate, control, manage and maintain a natural)
gas transmission line and a distribution system to)
provide gas service in Pettis and Benton Counties,)
Missouri, as a new certificated area.)
Case No. _____

APPLICATION

COMES NOW Missouri Gas Utility, Inc. (MGU or Applicant), by and through its counsel, and as its Application pursuant to §393.170, RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.205, for a certificate of convenience and necessity for a gas transmission line and a service area, respectfully states as follows:

1. Applicant is Missouri Gas Utility, Inc. MGU's principal office is located at 7810 Shaffer Parkway, Suite 120, Littleton, CO 80127.

2. MGU is a corporation duly incorporated under the laws of the State of Colorado. A copy of a certificate from the Missouri Secretary of State that MGU is authorized to do business in Missouri as a foreign corporation was submitted in Case No. GA-2007-0421 and is incorporated by reference in accordance with Commission Rule 4 CSR 240-2.060(1)(G). Other than cases that have been docketed at the Commission, MGU has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three (3) years that involve customer service or rates. MGU has no annual report or assessment fees that are overdue.

3. MGU conducts the business of a "gas corporation" and provides natural gas service in the Missouri counties of Harrison, Daviess and Caldwell, subject to the jurisdiction of the Missouri Public Service Commission (Commission).

4. All correspondence, communications, notices, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and:

Tim Johnston, P.E.
Executive Vice President and Chief Operating Officer
Missouri Gas Utility, Inc.
7810 Shaffer Parkway, Suite 120
Littleton, CO 80127
Telephone: (800) 927-0787
Facsimile: (303) 979-7892
Email: tjohnston@SummitUtilitiesInc.net

SUMMARY

5. MGU proposes to install a natural gas distribution system to provide natural gas sales and transportation service in Green Ridge, Cole Camp, Lincoln and Warsaw, all of which are 4th Class cities located in Pettis and Benton Counties. Green Ridge is located in parts of Sections 1, 2, 11, and 12 in Township 44 N, Range 23 W, and Sections 6 and 7 of Township 44N, Range 22W, all in Pettis County. Cole Camp is located in parts of Sections 25, 26, 27, 34, 35 and 36 in Township 43 N, Range 21 W, all in Benton County. Lincoln is located in parts of Sections 22, 23, 26, 27, 26, 34 and 35 in Township 42 N, Range 22 W, all in Benton County. Warsaw is located in parts of Sections 8, 9, 15, 16, 17, 20 and 21 in Township 40 N, Range 22 W, all in Benton County. This is an area where MGU currently does not hold a certificate for natural gas service from the Commission.

LINE CERTIFICATE

6. MGU will utilize an 8" HDPE line to serve these communities. This line will begin at a tap on the Southern Star Central Pipeline transmission line in Section 35, Township 46 North, Range 23 West. The first segment of the line will then proceed south within the right-of-way of Thomas Road for a distance of 1.3 miles, then east within the right-of-way of Highway Y

for a distance of 0.95 miles, then south within the right-of-way of Highway 127 for one mile. This first segment will have no taps or customers served, and for this first segment MGU is requesting a line certificate only. This line will not cross any other natural gas lines or railroad tracks, however, MGU assumes that the line will cross residential electric and telephone lines, for which locates will be obtained through the Missouri One-Call program at the time of construction.

AREA CERTIFICATE

7. From the south end of this first segment, at the intersection of the north line of Section 13, Township 45N, Range 23W and Highway 127, the 8" main line will continue south along Highway 127 one mile, then east one mile, then south nine miles to Highway 52, then east along Highway 52 for 3 and one-half miles, then south along Highway ZZ eleven and one-half miles into the city of Lincoln, where Highway ZZ intersects Hwy 65. The main line then will continue south along Highway 65 for a further nine miles to end at the city of Warsaw. Cole Camp will be served by a 4" HDPE line that will come off the 8" mainline and run east along county roads and Highway 52 to the city.

8. For its entire length, the main 8" HDPE line will lay along Section lines and half-section lines. For the area south of the first segment of the mainline, as described above, MGU requests an order from the Commission granting it a certificate of convenience and necessity (CCN) in the sections immediately on both sides of the line where the it lays along a section line, and in the section through which the line lays and the sections on either side of that section where the line lays along a half-section line. In the areas around the cities, MGU requests that the Commission grant a CCN in the sections within which the towns lie and those sections contiguous to these sections. In addition, Appendix A shows several areas along the route of the

mainline and east of the city of Warsaw that are requested because MGU has determined that either potential commercial or residential customers exist within these sections in sufficient quantity to justify building and operating a line to provide service. MGU stands ready, if necessary, to serve any potential customers in these sections, under the terms of its Main Extension tariff, as set forth on Sheets 72 – 76.

9. The legal description of the area to be certificated in Pettis County is as follows:

Sections 13, 14, 23, 24, 25, 36 in Township 45 North, Range 23 West

Sections 18, 19, 30, 31 in Township 45 North, Range 22 West

Sections 1, 2, 11, 12, 13, 24, 25, 36 in Township 44 North, Range 23 West

Sections 6, 7, 18, 19, 30, 31, 32, 33, 34, 35, 36 in Township 44 North, Range 22 West

Sections 31, 32, 33 in Township 44 North, Range 21 West

Sections 1, 2, 11, 12, 13, 14 in Township 43 North, Range 23 West

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 in Township 43 North, Range 22 West

The legal description of the area to be certificated in Benton County is as follows:

Sections 4, 5, 6 in Township 43 North, Range 21 West

Sections 13, 14 in Township 43 North, Range 23 West

Sections 14, 15, 16, 17, 18, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35, 36 in

Township 43 North, Range 22 West

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 in

Township 43 North, Range 21 West

Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 33, 34, 35 in

Township 42 North, Range 22 West

Section 36 in Township 41 North, Range 23 West

Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 31, 32, 33, 34, 35, 36 in
Township 41 North, Range 22 West

Sections 31, 32, 33, 34 in Township 41 North, Range 21 West

Sections 1, 12, 13, 24 in Township 40 North, Range 23 West

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27,
28 in Township 40 North, Range 22 West

Sections 3, 4, 5, 6, 7, 8, 9, 10 in Township 40 North, Range 21 West

PROJECT INFORMATION

10. The proposed line certificate route and proposed service area are shown on the map attached hereto as **Appendix A**.

11. Attached hereto and marked as **Appendix B** is a feasibility study containing a description of the plans and specifications for the project, to include the estimated cost of construction and an estimate of the number of customers, revenues and expenses during the first three years of operations. This feasibility study also includes the following rates that MGU intends to charge in this new CCN area:

Rate Description	Rate
GS Class Customer Charge	\$15.00/month
GS Class Commodity Charge	\$0.550/CCF
CS Class Customer Charge	\$30.00/month
CS Class Commodity Charge	\$0.600/CCF
LVS Class Customer Charge	\$100.00/month
LVS Class Commodity Charge	\$0.600/CCF
TS Class Customer Charge	\$200.00/month

TS Class Commodity Charge

\$0.600/CCF

12. MGU intends to finance this project by issuing indebtedness, as evidenced by a mortgage and security agreement that will secure said indebtedness. MGU will seek Commission approval for this financing through a separate application. It is MGU's intent to file that application with the Commission by Feb 15, 2009.

13. Construction methods will follow MGU's customary standards and the rules of the Commission. MGU plans to use the general terms and conditions of service found in MGU's currently approved tariffs, as supplemented by the rates described above.

14. Attached hereto and marked as **Appendix C** is a list of ten persons who reside, or own land, within the proposed service area.

15. MGU has not yet begun to seek commitments from potential customers in the cities or rural areas contained within the CCN requested in this filing. However, MGU does intend to begin these activities by February 1, 2009. Such commitments would be clearly conditioned upon MGU's receipt of the requested certificates.

16. Applicant has obtained franchises from the Cities of Green Ridge, Cole Camp, Lincoln and Warsaw. Copies of those franchises are attached hereto as **Appendix D**. Applicant will not require any other franchises or permits from municipalities, counties, or other authorities in connection with the proposed construction other than the usual and customary state highway, railroad and county road permits, which will be obtained prior to construction.

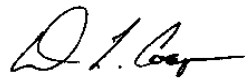
17. The service area in which MGU is seeking to be certificated hereby is already developed. Service from a natural gas supplier is not available in the proposed service area at the present time.¹ MGU has the ability to provide service in this area by construction of new

¹ The Empire District Gas Company holds a certificate for Section 35, the location of the Southern Star Central Pipeline tap, and it is MGU's belief that Empire serves some number of farm taps in that Section. However,

facilities and MGU believes that potential new customers should be afforded the opportunity to take service from MGU if they so desire. These facts support a finding that a grant of this application is required by the public convenience and necessity.

WHEREFORE, Applicant requests an order from the Commission granting it a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain a gas transmission line and a distribution system for the provision of natural gas service to the public pursuant to the proposed rates, and approved rules and regulations, in the Sections listed above in Pettis and Benton Counties, in the State of Missouri.

Respectfully submitted,



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Attorneys for Missouri Gas Utility, Inc.

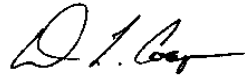
as stated above, MGU seeks only a line certificate in that section.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following counsel this 14th day of January, 2009:

Office of the General Counsel
Missouri Public Service Commission
Governor State Office Building
Jefferson City, Missouri 65101

Office of the Public Counsel
Governor State Office Building
Jefferson City, Missouri 65101



Dean L. Cooper

VERIFICATION

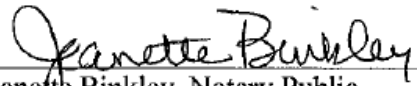
STATE OF COLORADO)
)ss
COUNTY OF Jefferson)

I, Timothy R. Johnston, state that I am the Executive Vice President of Missouri Gas Utility, Inc. (MGU); that I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of MGU.



Subscribed and sworn to before me this 14th day of January, 2009.





Jeanette Binkley, Notary Public

Commission expires 1/4/13