

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

In the Matter of Missouri Gas Energy's	)	
Tariffs to Implement a General Rate	)	Case No. GR-2004-0209
Increase for Natural Gas Service	)	

**MOTION TO FILE SUPPLEMENTAL REBUTTAL TESTIMONY  
CONCERNING DEPRECIATION**

COMES NOW Missouri Gas Energy, a division of Southern Union Company d/b/a ("MGE" or the "Company") and for its Motion to File Supplemental Rebuttal Testimony Concerning Depreciation respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. Commission Rule 4 CSR 240-2.130(8) indicates that "no party shall be permitted to supplement prefiled direct, rebuttal or surrebuttal testimony unless ordered by the presiding officer or the Commission." MGE seeks such an order from the Commission to allow it to file the Supplemental Rebuttal Testimony of Thomas J. Sullivan (attached hereto as Appendix A).

2. In his Rebuttal Testimony filed May 24, 2004 (pages 18-19), MGE witness Sullivan indicated that the Company had requested from the Commission Staff certain analysis of Laclede Gas Company depreciation data. However, at the time rebuttal testimony was filed, MGE had not received a complete response to that request. A copy of the request and initial Staff response was attached to Mr. Sullivan's Rebuttal Testimony as Schedule TJS-2.

3. The Laclede data requested by MGE is relevant to this case because Staff witness Mathis makes an average service life recommendation for MGE Services based on Mr. Paul Adams' recommendation in Case No. GR-2001-292. In Case No. GR-2001-292, Mr. Adams

asserted that Laclede's average service life for services was also reasonable for MGE.

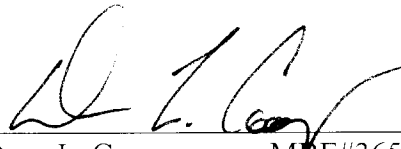
4. Staff has since provided the information requested by MGE. Having access to this information has allowed MGE witness Sullivan to compare the Laclede data to MGE to determine whether the two companies are comparable to the point of being interchangeable, to run retirement analyses to isolate the period over which both companies were performing safety line replacements and to verify the reasonableness of the average service life used for Laclede. The results of Mr. Sullivan's comparison are contained in the attached Supplemental Rebuttal Testimony.

5. MGE believes that good cause exists to allow MGE to file the attached Supplemental Rebuttal Testimony of Thomas J. Sullivan. This testimony is based upon information that was in the possession of the Commission Staff and which MGE requested in a timely manner. Additionally, MGE's original rebuttal testimony explained how MGE witness Sullivan would use the data once received. Thus, there should not be any unfair surprise resulting from a grant of this motion.

WHEREFORE, MGE respectfully moves the Commission to issue its order allowing MGE to file the Supplemental Rebuttal Testimony of Thomas J. Sullivan.

Respectfully submitted,

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ATTORNEYS FOR MISSOURI GAS ENERGY

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, mailed by U.S. mail or electronically transmitted on this 23<sup>rd</sup> day of June, 2004, to all parties of record.

