

In the Matter of Missouri Gas Energy's)
Purchased Gas Adjustment Rate Change) Case No. GR-2007-0256

APPLICATION FOR WAIVER
CONCERNING PGA TARIFF FILING
AND MOTION FOR EXPEDITED TREATMENT

Comes now Missouri Gas Energy, a division of Southern Union Company (MGE), in accordance with Commission Rules 4 CSR 240-2.060(4) and 4 CSR 240-2.080(16), and as its application for a waiver from certain aspects of MGE's P.S.C. No. 1, 5th Revised Sheet No. 15, and for expedited treatment, states to the Missouri Public Service Commission ("Commission") as follows:

SUMMARY

This application requests that the Commission grant MGE a waiver from certain aspects of its purchased gas adjustment (PGA) clause tariffs to allow MGE to make more than one PGA filing in two consecutive calendar months. The proposed PGA adds a rate that was erroneously dropped from MGE's recent filing.

INTRODUCTION

1. MGE is a division of Southern Union Company which is duly incorporated under the laws of the State of Delaware and conducts business in Missouri under the fictitious name of Missouri Gas Energy. MGE's principal office and place of business is located at 3420 Broadway, Kansas City, Missouri 64111. A copy of a certificate from the Missouri Secretary of State that Southern Union Company is authorized to do business in Missouri as a foreign corporation was submitted in Case No. GM-2003-0238, and is incorporated herein by reference. A copy of a certificate from the Missouri Secretary of State that Missouri Gas Energy is a

registered fictitious name of Southern Union Company was submitted in Case No. GM-2003-0238, and is incorporated herein by reference. Other than cases that have been docketed at the Commission, MGE has no pending action or final unsatisfied judgments against it from any state or federal agency or court within the past three (3) years that involve customer service. MGE has no annual report or assessment fees that are overdue. MGE currently conducts business as a “gas corporation” and provides natural gas service to approximately 500,000 customers in the Missouri counties of Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Pettis, Platte, Ray, Saline, Stone, and Vernon, subject to the jurisdiction of the Missouri Public Service Commission as provided by law.

2. Communications in regard to this Application should be addressed to:

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WAIVER

3. On October 30, 2007, the Commission approved MGE’s tariff sheet P.S.C. Mo.

No. 1, Fourteenth Revised Sheet No. 24.3, Canceling 13th Revised Sheet No. 24.3, effective November 1, 2007, on an interim basis, subject to refund. Sheet 24.3, among other things, contained a line for Large Volume Transportation. Unfortunately, the tariff failed to include the rate under Current Cost of Gas (C.C.G.), Actual Cost Adjustment (A.C.A.) and Take or Pay (T.O.P.).

4. The A.C.A. and T.O.P. rates should have been listed as \$0. However, the C.C.G. rate should have been listed as \$0.12067. MGE has filed a revised Sheet 24.3 in order to correct this mistake (Tracking No. YG-2008-0298). A copy of that tariff is provided as **Appendix A** to this pleading.

5. Section IB (Revision of the PGA Rate) of MGE's tariffs (P.S.C. No. 1, 5th Revised Sheet No. 15) provides as follows:

The Company shall be allowed to make up to four (4) PGA filings during each calendar year. One such filing will be effective in November of each year, but no more than one PGA filing shall become effective in any two consecutive calendar months unless specifically ordered by the Commission. Shall PGA changes shall be made at least ten (10) business days prior to their effective dates.

6. MGE's revised tariff filed on November 5, 2007, if approved, would result in more than one PGA filing becoming effective in two consecutive calendar months. This adjustment is therefore contrary to the provisions of MGE's P.S.C. No. 1, 5th Revised Sheet No. 15, quoted above.

7. MGE believes that there is good cause to grant a waiver to permit the subject filing in that it would allow Sheet 24.3 to include all the rates contemplated by that tariff sheet. Such action would be in the interest of both MGE and its customers.

8. Therefore, for the reasons stated above, MGE hereby requests a waiver from MGE's P.S.C. No. 1, 5th Revised Sheet No. 15 to allow MGE to make two PGA filings in two consecutive calendar months.

EXPEDITED TREATMENT

9. MGE filed a tariff sheet in order to provide the missing rate information (Tracking No. YG-2008-0298). This tariff sheet carried a proposed effective date of December 5, 2007 (30 days).

10. To show good cause for waiver of the thirty day period pursuant to Section 393.140(11), RSMo and approval of the revised tariff sheet on less than thirty (30) days' notice, MGE states that the tariff sheet is designed to correct an oversight in the currently effective tariff. Failure to approve a new tariff in a timely manner will result in ambiguity as to the C.C.G. rate to be charged in the interim.

11. Accordingly, MGE seeks the Commission's order allowing the proposed tariff sheet to go into effect on and after November 15, 2007, or as soon as the Commission is able to take up this motion.

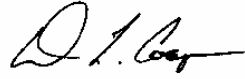
12. The subject tariff sheet and this Motion have been filed as soon as possible after the discovery of the referenced error.

WHEREFORE, MGE requests a Commission order:

- a) granting a waiver of MGE's P.S.C. No. 1, 5th Revised Sheet No. 15 to allow MGE to make two PGA filings in two consecutive calendar months;
- b) granting MGE's Motion for Expedited Treatment and approving MGE's proposed tariff sheet (Tracking No. YG-2008-0298) effective November 15, 2007; and,

- c) granting such further relief as is consistent with the relief requested herein.

Respectfully submitted,



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ATTORNEYS FOR MISSOURI GAS ENERGY,
A DIVISION OF SOUTHERN UNION
COMPANY

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail on November 5, 2007, to the following:

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