

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

In the Matter of Missouri Gas Energy and)
Its Tariff Filing to Implement a General Rate) Case No. GR-2009-0355
Increase for Natural Gas Service) Tariff No. YG-2009-0714

**MGE’S RESPONSE TO STAFF’S MOTION TO COMPEL
PRODUCTION OF DOCUMENTS**

Comes now Missouri Gas Energy (MGE or Company), a division of Southern Union Company, and states as follows to the Missouri Public Service Commission (Commission) in response to the Commission Staff’s Motion to Compel Production of Documents:

RESPONSE

1. On August 20, 2009, the Staff of the Commission filed its Motion to Compel Production of Documents. Staff alleges that MGE failed to fully respond to Staff data request (DR) 30, which requested the following: “Please provide a copy or make available (in electronic format, if possible) for Staff review: a) the minutes of the Board of Directors meetings for Southern Union and MGE (if applicable) held between June 30, 2006 and the present; b) any handouts and/or financial analysis used at the meetings; c) any available Board Committee meetings minutes.”

2. MGE is the division of Southern Union Company that operates as a public utility in the State of Missouri. MGE does not have its own board of directors and, thus, has no MGE specific materials that are responsive to this inquiry.

3. Southern Union Company’s interests are many and varied as it is engaged in the transportation, storage, gathering, processing and distribution of natural gas.

Southern Union owns and operates one of the nation's largest natural gas pipeline systems with more than 20,000 miles of gathering and transportation pipelines and North America's largest liquefied natural gas import terminal.

4. Through Panhandle Energy, Southern Union's interstate pipeline interests operate more than 15,000 miles of pipelines that transport natural gas from the Anadarko and San Juan basins, Rocky Mountains, Gulf of Mexico, South Texas and Mobile Bay to major markets in the Southeast, Midwest and Great Lakes region. Southern Union's natural gas transmission units include Panhandle Eastern Pipe Line Company, Trunkline Gas Company, Sea Robin Pipeline Company, Trunkline LNG Company (one of the nation's largest LNG import terminals) and Southwest Gas Storage. Through CCE Holdings, LLC, Southern Union also owns an interest in and operates Florida Gas Transmission.

5. Southern Union Gas Services, with approximately 4,800 miles of pipelines, is engaged in the gathering, transmission, treating, processing and redelivery of natural gas and natural gas liquids in Texas and New Mexico.

6. Through its local distribution companies, Missouri Gas Energy and New England Gas Company, SUG also serves more than half a million natural gas end-user customers in Missouri and Massachusetts.

7. MGE responded to Staff DR 30 by providing those Southern Union Company Board of Directors' meeting materials having a relationship to MGE. This was supported by MGE's response to Staff DR 30.3, which provided the Affidavit of Mr. Robert Kerrigan, Vice President, Assistant General Counsel and Secretary of Southern Union Company. See **Appendix A**.

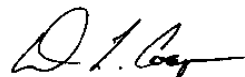
8. Mr. Kerrigan's affidavit stated under oath that the materials provided by MGE in response to Staff DR 30 "cover any and all matters, during the relevant time period, which mention or directly impact Missouri Gas Energy" and that the board minutes that were not provided "do not contain any information or memorialize any actions which mention or directly impact Missouri Gas Energy."

9. Mr. Kerrigan further estimated that providing the additional minutes would require from eight to ten hours of work to redact privileged matters from the subject board minutes.

10 MGE's answer to Staff DR 30 is responsive and complete. As indicated above, MGE has no board of directors, Southern Union has many lines of business that operate separate and apart from MGE, there is a lack of connection between the additional minutes, MGE and MGE's operations as evidenced by Mr. Kerrigan's Affidavit. Accordingly, Staff's Motion to Compel should be denied.

WHEREFORE, MGE respectfully requests the Commission consider the above response and, thereafter, deny the Staff's Motion to Compel Production of Documents.

Respectfully submitted,



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

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 25th day of August, 2009, to:

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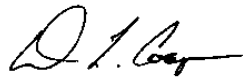
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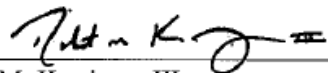
Dean L. Cooper

APPENDIX A

AFFIDAVIT

The undersigned, Robert M. Kerrigan, III., is the duly elected and qualified Vice President, Assistant General Counsel and Secretary of Southern Union Company (the "Company") and being duly sworn states as follows:


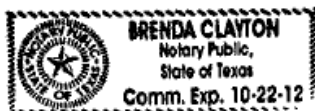
1. The minutes of the Company's Board of Directors and its Audit Committee previously provided in response DR 0030 cover any and all matters, during the relevant time period, which mention or directly impact Missouri Gas Energy.
2. The other minutes requested through 0030.3, as a follow-up to DR 0030, do not contain any information or memorialize any actions which mention or directly impact Missouri Gas Energy.
3. On information and belief, compiling, reviewing and reproducing the information requested as part of DR 0030.3 would require approximately eight (8) to ten (10) hours of work by me or my staff (includes review of minutes for redactions required for attorney client privilege matters and certain affiliate discussions).



Robert M. Kerrigan, III
Vice President, Assistant General Counsel
and Secretary

SUBSCRIBED AND SWORN TO BEFORE ME this 6th day of July 2009.

(Seal)



Notary Public in and for
Harris County, Texas