

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

In the matter of the application of Missouri Gas	)	
Utility, Inc., for authority to enter into certain debt	)	
instruments and to issue up to and including	)	
\$7,000,000 of indebtedness, in one or	)	Case No. GF-2009-0057
more transactions, and to, among other things,	)	
execute and deliver a mortgage and security	)	
agreement to secure said indebtedness.	)	

**APPLICANT’S RESPONSE TO STAFF RECOMMENDATION AND  
MOTION FOR EXPEDITED CONSIDERATION**

COMES NOW Missouri Gas Utilities (“MGU”) and for its response to Staff Recommendation in this case and, pursuant to Commission rule 4 CSR 240-2.080(16), for its motion for expedited consideration, states the following:

1. MGU filed its Application in this case on August 25, 2008. In response to the Commission’s September 2, 2008, Order Directing Filing, Staff filed its Recommendation on October 30, 2008, which recommends is that the Commission approve the Application subject to six conditions enumerated in a memorandum attached thereto.<sup>1</sup>

2. MGU has no objection to an order of the Commission approving the Application conditioned as recommended by Staff.<sup>2</sup> Consequently, MGU requests that the Commission issue its order granting MGU the relief it has requested.

---

<sup>1</sup> See, Memorandum, page 8 of 8.

<sup>2</sup> MGU’s acceptance of Staff’s recommended conditions does not necessarily represent acquiescence in the underlying rationale as set forth in the Recommendation or the supporting memorandum

3. With respect to the timing considerations, the lender's commitment to the transaction expires on December 1, 2008.<sup>3</sup> Consequently, MGU requests that the Commission issue an order approving the Application at the earliest possible opportunity, bearing an effective date of no later than December 1, 2008. It is important that MGU proceed with permanent financing for its construction in the communities of Ridgeway, Pattonsburg and Jamesport such that those operations can be financed with low cost, long-term debt capital. Keeping MGU's cost of service as low as possible will be beneficial to the Company and its ratepayers and, consequently, is in the public interest.

WHEREFORE, MGU requests that the Commission issue an order at its earliest opportunity approving the Application with such conditions as recommended by its Staff as the Commission deems appropriate in the circumstances.

Respectfully submitted,

/s/ Paul A. Boudreau

Paul A. Boudreau - MO Bar # 33155  
Brydon, Swearingen & England, P.C.  
312 East Capitol Avenue  
P. O. Box 456  
Jefferson City, Missouri 65102-0456  
Telephone: (573) 635-7166  
Facsimile: (573) 636-6450  
Email: [paulb@brydonlaw.com](mailto:paulb@brydonlaw.com)  
Attorney for Missouri Gas Utilities, Inc.

---

<sup>3</sup> The lender is U.S. Bank National Association.

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on the 3<sup>rd</sup> day of November, 2008, to the following:

Robert S. Berlin  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102-0360

Office of the Public Counsel  
Governor Office Building  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102-2230

/s/ Paul A. Boudreau \_\_\_\_\_  
Paul A. Boudreau