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

In the Matter of the Petition of )  
the City of Fulton, Missouri, )  
for Approval in Accordance with )  
4 CSR 240-40.030(4)(HH)3, that )  
It Was Impracticable to Construct )  
an Emergency Replacement to )  
Accommodate Instrumented Inspection )  
Devices. )

Case No. GO-2000-279

**ORDER DIRECTING NOTICE**  
**AND DIRECTING FILING**

On October 15, 1999, the City of Fulton (City), filed its application for approval by the Commission under 4 CSR 240-40.030(4)(HH)3, that it was impracticable for the City to construct an emergency replacement section in its natural gas distribution pipeline in such a way as to accommodate instrumented internal inspection devices.

The Commission finds that proper persons should be allowed 20 days from the effective date of this order to file a motion for leave to intervene or to file comments addressing whether or not it will benefit consumers, is in the public interest, and is not contrary to state law, that the approval requested herein be granted. The Commission determines that notice of this application should be given by the Commission's Records Department to the County Commission of Callaway County, Missouri. The Commission further determines that the

Information Officer of the Commission should provide notice of this Application to the members of the General Assembly representing Callaway County, Missouri, and to the newspapers which serve Callaway County, Missouri, as listed in the newspaper directory of the current Official Manual of the State of Missouri.

The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d, 494, 496 (Mo. App. 1989). If there are no requests for a hearing, relief may be granted based on the verified petition.

The Commission has also determined that the Staff of the Missouri Public Service Commission (Staff) shall investigate the circumstances of the City's application and file its report with the Commission, including its recommendation as to whether or not the approval sought herein should be granted and whether any conditions ought to be imposed.

**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Commission shall send notice of this Application to the County Commission of Callaway County, Missouri.

2. That the Information Officer of the Commission shall provide notice of this Application to the members of the General Assembly representing persons residing within Callaway County, Missouri, and to the newspapers which serve Callaway County, Missouri,

as listed in the newspaper directory of the current Official Manual of the State of Missouri.

3. That any party wishing to intervene, request a hearing, or to file comments in this matter shall file an application, or shall file their written comments, no later than November 15, 1999, with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and send copies to:

Tim Brady, Esq.  
Brady & Crane, L.L.C.  
411 Court Street  
Fulton, Missouri 65251

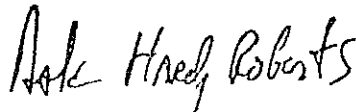
and:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102

4. That the Staff of the Missouri Public Service Commission (Staff) shall investigate the circumstances of the City's application and, on or before November 24, 1999, file its report with the Commission, including its recommendation as to whether or not the approval sought herein should be granted and whether any conditions ought to be imposed.

5. That this order shall become effective on November 4,  
1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Kevin A. Thompson, Deputy Chief  
Regulatory Law Judge, by delegation  
of authority pursuant to 4 CSR  
240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 25th day of October, 1999.

RECEIVED

OCT 25 1999

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION