## BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Application of	)	
Southern Union Company for Authority	)	
to Acquire up to and Including Five	)	Case No. GM-2000-49
Percent (5%) of the Common Stock of	)	
Pennsylvania Enterprises, Inc.	)	

## ORDER DIRECTING STAFF TO FILE RECOMMENDATION

On July 20, 1999, Southern Union Company (Southern Union) filed an application with the Commission requesting authority to acquire up to and including five percent of the common stock of Pennsylvania Enterprises, Inc. (PNT). In a companion case, case number GM-2000-43, Southern Union has requested authority to complete a merger with PNT. Southern Union wishes to immediately purchase a portion of the stock of PNT for the purpose of mitigating the pricing effect of possible arbitrage trading in PNT shares prior to the time of closing of the merger. Southern Union has requested expedited consideration of this application to permit the proposed transactions to occur no later than July 31.

On July 26, the Commission ordered its Staff to file a response no later than July 27, indicating whether or not it would be able to file, by July 28, at 4:00 p.m., a Staff recommendation regarding the application of Southern Union. On July 27, Staff filed its response to the Commission's Order. Staff indicated that it could not file a Staff recommendation by July 28. However, Staff indicated that it could file such a recommendation by July 29 at 3:00 p.m.

If Southern Union's Application is to be considered by the Commission prior to July 30, it must be considered at the Commission's agenda meeting on July 29. The Commission's agenda meeting begins at 9:30 a.m. Therefore, the Commission will require a recommendation from Staff prior to that time.

## IT IS THEREFORE ORDERED:

- 1. That the Staff of the Public Service Commission shall file, by July 29, at 8:30 a.m., a Staff recommendation regarding the application of Southern Union for authority to purchase up to and including five percent of the common stock of Pennsylvania Enterprises, Inc.
  - 2. That this order shall become effective on July 28, 1999.

BY THE COMMISSION

Hale Hardy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

Morris L. Woodruff, 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 28th day of July, 1999.



COMMISSION COUNSEL PUBLIC SERVICE COMMISSION