

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

In the Matter of Missouri Gas Energy's )	
Tariff Sheets Designed to Increase )	
Rates for Gas Service in the )	Case No. GR-2009-0355
Company's Missouri Service Area )	

**MOTION TO MODIFY PROCEDURAL SCHEDULE TO ADDRESS  
ADDITIONAL INFORMATION**

COMES NOW Missouri Gas Energy ("MGE"), a division of Southern Union Company, and for its Motion to Modify the Procedural Schedule in this matter, states as follows to the Missouri Public Service Commission ("Commission"):

1. On May 27, 2009, the Commission issued an Order Setting Procedural Schedule in this matter.

2. During the evidentiary hearing on November 2, 2009, Commissioner Davis asked that MGE witness Michael R. Noack prepare and present documents containing information on an alternative rate design for MGE patterned after the current rate design of Laclede Gas Company. Tr. 894-895.

3. Commission Davis further requested that Mr. Noack provide information concerning a residential bill frequency analysis performed by MGE and provided to Commission Staff witness Ann Ross in response to a data request. Tr. 895-896.

4. On November 9<sup>th</sup> and 10<sup>th</sup>, respectively, MGE filed information responsive to both of Commissioner Davis' requests.<sup>1</sup>

5. At the time this matter was discussed on the record, the undersigned counsel offered to make Mr. Noack available for further questions and cross-examination concerning the information requested. Tr. 909.

6. Staff and Public Counsel each requested an opportunity to respond. Tr. 896, 912. To date, no party has filed a response.

7. The presiding officer has not yet concluded the evidentiary phase of the hearing, presumably to accommodate the taking of further evidence concerning the information submitted by Mr. Noack.

8. In order to give all interested parties an opportunity to respond to the information submitted by Mr. Noack in response to Commission Davis' questions, MGE requests that the Commission establish a deadline of December 1 for the filing of such responsive information (with any related workpapers to be provided to the other parties promptly thereafter) by parties interested in doing so. In addition, to give all interested parties an opportunity to inquire into the information provided by Mr. Noack on November 9, 2009, as well as any responsive information submitted by any other party, MGE believes the Commission should make some provision to set aside an opportunity for Mr. Noack, and any other witness who may submit information responsive to that provided by Mr. Noack on November 9, 2009, to take the stand and answer such questions as are pertinent to the additional information.

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<sup>1</sup> See, EFIS Item Nos. 254 and 256.

9. The Commission has established December 8<sup>th</sup> and 9<sup>th</sup>, 2009, as the dates for a True-Up Hearing in this case. MGE suggests that Commission set aside some time on those dates to address the matter of the additional information submitted by Mr. Noack and any information responsive thereto by other parties. This is consistent with the existing procedural schedule which should already be on the calendars of the Commission and counsel of record and will provide ample time for the parties to prepare and for the Commission to evaluate the additional information.

WHEREFORE, MGE requests that the Commission modify the Procedural Schedule in this case to (1) direct the filing of responsive information by December 1, 2009, and (2) schedule for further hearing on December 8<sup>th</sup> and/or 9<sup>th</sup> the matter of the additional information submitted by Michael R. Noack on behalf of MGE in response to questions from Commissioner Davis as well as any responsive information submitted by other parties.

Respectfully submitted,

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## **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 17<sup>th</sup> day of November, 2009, to the following:

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