BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of the Missouri)
Association of Natural Gas Operators, Inc. for)
a Permanent Waiver From the Provisions of) Case No. GE-2022-0214
20 CSR 4240-40.020(2)(D)1B for Estimated)
Property Damage Threshold for a Federal Incident,)
and 20 CSR 4240-40.020(7)(B) Distribution System))
Mechanical Fitting Failure Reports.)

RESPONSE TO COMMISSION ORDER

COMES NOW the Missouri Association of Natural Gas Operators, Inc. ("MANGO" or "Applicant"), on behalf of its members, and in response to the Commission's *Order Directing Responses* issued February 9, 2022 regarding a rulemaking proceeding, respectfully states the following to the Missouri Public Service Commission ("Commission") as its *Response to Commission Order*:

- 1. The Commission's *Order Directing Responses*, issued February 9, 2022, directed MANGO to "file a pleading indicating whether a rulemaking is appropriate, or in the alternative shall file a petition for rulemaking." MANGO does believe that there is merit to a rulemaking and would be willing to file a petition for rulemaking in short order. However, Applicant is concerned with the timing of that rulemaking proceeding.
- 2. Accordingly, the MANGO board of directors continues to desire to pursue a waiver from the provisions of 20 CSR 4240-40.020(2)(D)1B and 20 CSR 4240-40.020(7)(B) for its membership. Having said that, if the Commission were to pursue rulemaking proceedings pursuant to Section 386.250(6), RSMo, the waivers requested would not need to be permanent, but could be temporary until such rulemaking ran its course.

WHEREFORE, the Applicant requests that the Commission consider this response to

satisfy its Order and issue such further orders as it should find to be reasonable and just.

Respectfully submitted,

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Dean L. Cooper

MBE #36592

Jesse W. Craig

MBE #71850

BRYDON, SWEARENGEN & ENGLAND P.C.

312 E. Capitol Avenue

P. O. Box 456

Jefferson City, MO 65102

(573) 635-7166 voice/(573) 635-0427 facsimile

dcooper@brydonlaw.com jcraig@brydonlaw.com

D1.Com

ATTORNEYS FOR APPLICANT

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following this 22nd day of February, 2022:

Office of the General Counsel staffcounselservice@psc.mo.gov

Office of the Public Counsel opcservice@opc.mo.gov