



MISSOURI GAS ENERGY

3420 Broadway, • Kansas City, MO • 64111-2404 • (816) 360-5755

February 26, 1997

ROBERT J. HACK
SENIOR ATTORNEY

VIA FEDERAL EXPRESS

Mr. Cecil I. Wright
Executive Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: Case No. GO-97-242

Dear Mr. Wright:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a Response to Staff Recommendation. Please stamp as "filed" the extra copy that is enclosed and return it to my office in the enclosed self-addressed stamped envelope.

A copy of this filing has been mailed or hand-delivered this date to the Office of Public Counsel.

Thank you for your attention to this matter.

Sincerely,

Rob Hack /sm

RJH/sm
enclosure(s)
cc: Office of the Public Counsel

cc: Legal Counsel

FILED
FEB 26 1997
MISSOURI
PUBLIC SERVICE COMMISSION

FILED
FEB 26 1997
MISSOURI
PUBLIC SERVICE COMMISSION

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Application)
of Missouri Gas Energy for a)
Variance from the Provisions of)
4 CSR 240.10.030 (19) in)
Conjunction with a Previous)
Variance Granted by the)
Commission in Case No.)
GO-91-353.)

Case No. GO-97-242

MISSOURI
PUBLIC SERVICE COMMISSION

FEB 26 1997

FILED

RESPONSE TO STAFF RECOMMENDATION

Comes now Missouri Gas Energy (MGE), and respectfully states the following:

1. MGE appreciates the Staff's recommendation that the Commission approve the Application for Variance as filed. However, at the conclusion of its recommendation, the Staff has requested the Commission to order MGE to include at an appropriate place in its tariff reference both to the variance granted in Case No. GO-91-353 and to the temporary variance in this case. This request causes MGE some concern.

2. The Staff has offered no reason for the tariffing requirement. Setting out in tariff these meter testing variances seems to MGE to expand the purpose of a tariff beyond its historical scope. The tariff defines the relationship of the customer and the company, including a description of the responsibilities and obligations of each with respect to the other. To MGE's knowledge, neither the meter testing program imposed by Commission rule nor any variances granted therefrom have been included in the tariffs of gas corporations in Missouri to date. Although MGE's meter testing program affects customers as a body by insuring meter accuracy and integrity, the obligations imposed on MGE

FILED

FEB 26 1997

MISSOURI
PUBLIC SERVICE COMMISSION

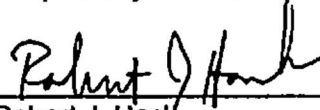
4.

by the rule cannot be traced to any particular customer. MGE believes this is why the meter testing rule has not been tariffed. This is also why MGE questions the need for tariffing the variances as suggested by the Staff.

3. MGE is willing to tariff the variances as the Staff has suggested if the Commission believes such to be necessary and appropriate.

WHEREFORE, MGE respectfully requests that the Commission consider this response in making its decision to approve the variance as filed by MGE without adopting the Staff's tariff proposal. Because MGE has already begun installing automatic meter reading devices and because this variance request relates directly to that project, MGE would greatly appreciate any extent to which the Commission is able to expedite its approval process.

Respectfully submitted,



Robert J. Hack
Senior Attorney
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111
(816) 360-5755
FAX: (816) 360-5554

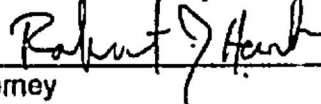
#36496

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that the foregoing was served via U.S. Postal Service this 25 day of February, 1997 upon:

Mr. Thomas R. Schwarz, Jr.
Senior Counsel
MO Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Mr. Douglas E. Micheel
Senior Public Counsel
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102



Attorney