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

In the Matter of the Application of Missouri )  
Gas Energy, a Division of Southern Union )  
Company, for a Certificate of Public )  
Convenience and Necessity, Authorizing It to )  
Construct, Install, Own, Operate, Control, )  
Manage and Maintain a Natural Gas Transmission )  
and Distribution System to Provide Gas Service )  
in a Certain Area in Newton County, Missouri )  
as an Expansion of Its Existing Certificated )  
Area )

Case No. GA-2000-412

**ORDER AND NOTICE OF APPLICATION**

On January 10, 2000, Missouri Gas Energy, a division of Southern Union Company, (MGE) filed an application with the Missouri Public Service Commission (Commission) pursuant to Section 393.170, RSMo 1994, requesting that the Commission grant it a certificate of convenience and necessity to construct, install, own, operate, control, manage and maintain a system for the provision of natural gas service to the public pursuant to its approved rates, rules and regulations, in the requested new area of Newton County, Missouri. On January 18, 2000, MGE filed its first amended application, stating that there were no municipalities located within the proposed service area.

The Commission finds it appropriate that notice of this application be made to the general public and interested parties and that a date for intervention of proper parties be set.

The Records Department of the Commission shall provide notice of this application to the county commission of Newton County. Notice of this application shall also be given by the Information Officer of the Commission to the members of the General Assembly representing Newton County, and to all publications of general circulation in Newton County as set out in the Official Manual of the State of Missouri.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the Applicant may submit its evidence in support of the Application by verified statement. State ex rel. Rex Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989).

**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Missouri Public Service Commission is ordered to serve notice as set out herein.

2. That the information officer of the Missouri Public Service Commission is ordered to serve notice as set out herein.

3. That any proper person wishing to intervene in this matter shall file an application to do so no later than 3:00 p.m. on January 31, 2000. Such applications shall be filed with:

Secretary, Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

and a copy served on:

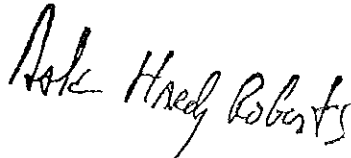
Gary W. Duffy, Esq.  
Brydon, Swearengen & England, P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456

and:

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102

4. That this order shall become effective on January 31,  
2000.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Bill Hopkins, Senior 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 19th day of January, 2000.