

Section 9, Township 21 North, Range 31 West. The proposed pipeline will be installed within a private right of way and adjacent to existing county roads and state highway right of way.

The Commission has determined that the Records Department of the Commission shall mail a copy of this order to each of the eleven residents and/or landowners within the proposed service area as shown on Appendix E which is attached to the application. The Records Department of the Commission shall also mail a copy of this order to the County Commission of McDonald County, Missouri. In addition, the Information Officer of the Commission shall send a notice of this application of each newspaper located in McDonald County, Missouri, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to all members of the General Assembly representing McDonald County, Missouri.

The Commission also determines that proper parties shall be given the opportunity to intervene in this case. Applications to intervene shall be filed with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, on or before January 30, 1995. Copies of the application to intervene should be sent to:

John F. Fernald
Director of Regulatory Affairs
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111

Gary W. Duffy
Brydon, Swearingen & England P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102-0456

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered such an opportunity. If no proper party or governmental entity files an application to intervene and neither the Commission's Staff nor the Office of 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. 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 provide notice as set out herein.
2. That the Information Officer of the Missouri Public Service Commission is ordered to provide notice as set out herein.
3. That any proper party wishing to intervene in this matter shall file an application to do so no later than January 30, 1995. Such applications shall be filed with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri.
4. That this order shall become effective on the date hereof.

BY THE COMMISSION



**David L. Rauch
Executive Secretary**

(S E A L)

Thomas H. Luckenbill, Deputy Chief Hearing Examiner, by delegation of authority under Commission Directive of August 16, 1994, pursuant to Section 386.240, R.S.Mo. 1986.

Dated at Jefferson City, Missouri, on this 29th day of December, 1994.