

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of April, 1995.

In the matter of the application of Missouri Gas)	
Energy, a division of Southern Union Company, for a)	
certificate of convenience and necessity authorizing)	
it to construct, install, own, operate, control,)	<u>Case No. GA-95-189</u>
manage and maintain a certain natural gas pipeline)	
and provide natural gas service in an area in)	
McDonald County, Missouri.)	
)	

ORDER GRANTING CERTIFICATE

On December 16, 1994, Missouri Gas Energy (MGE) of Kansas City, Missouri filed an application for a certificate of public convenience and necessity to construct a natural gas pipeline which would be an extension from Williams Natural Gas Pipeline Company's existing transmission system. The proposed pipeline is approximately 22,240 feet and four and one-half inch diameter coated pipe. The primary purpose of the proposed pipeline is to provide natural gas service for the Simmons chicken hatchery facility located southeast of Pineville, Missouri. The extension would also provide natural gas service to approximately four residences and two chicken farms along the route. MGE's application requests that the certificate include all of Sections 9, 10, 11, 12, 13, 14, 15, and 16 of Township 21 North, Range 32 West, and all of Section 7 of Township 21 North, Range 31 West in McDonald County, Missouri.

On December 29, 1994, the Commission issued an Order And Notice directing the Records Department of the Commission to provide notice of the application. The Commission stated that if no one filed an application to intervene or motion for hearing, MGE may submit its evidence in support of the application by verified statement. No application to intervene nor motion for hearing was filed.

On April 10, 1995, the Staff of the Commission (Staff) filed a memorandum recommending that the Commission approve MGE's application. Staff states that it has reviewed and evaluated the application and the supporting documents attached to the application, in addition to materials submitted by MGE in response to questions posed by Staff, and believes the project to be viable and in the public interest. But Staff conditions its approval to those land sections for which the Commission has not previously granted a certificate of public convenience and necessity. Thus, Staff recommends that the Commission grant a certificate to MGE, but that it be limited to Sections 11, 12, 13, and 14 of Township 21 North, Range 32 West and Section 7 of Township 21 North, Range 31 West in McDonald County. Staff indicates that no changes to MGE's tariff are needed as a result of granting this certificate request.

On April 11, 1995, MGE filed a letter, which was addressed to: "Mr. Tom Luckenbill, Chief Deputy (sic) Hearing Examiner, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102-0360". MGE's letter indicates that it has reviewed the Staff recommendation dated April 7, 1995, and concurs with its conclusions. The letter indicates MGE's request that an order approving the application, as modified to remove the areas already certificated, be issued as soon as practicable.

Since no proper party filed an application to intervene and there are no outstanding requests for hearing, the Commission determines that an oral hearing is not necessary and the Commission will grant MGE's request, subject to Staff's limitation, based upon the evidence which has been provided by verified statement. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

Upon review of MGE's application and Staff's recommendation, the Commission finds that the provision of reliable natural gas service to the proposed area is in the public interest, and that MGE's proposal is reasonable.

Thus, the Commission determines that MGE's application, subject to the limitations recommended by Staff, should be approved.

IT IS THEREFORE ORDERED:

1. That Missouri Gas Energy, a division of Southern Union Company, is hereby granted a certificate of convenience and necessity to construct, install, own, operate, control, manage and maintain a natural gas system in Sections 11, 12, 13, and 14 of Township 21 North, Range 32 West and Section 7 of Township 21 North, Range 31 West in McDonald County, Missouri.

2. That nothing in this order shall be considered as a finding by the Commission of the reasonableness of the expenditures herein involved, nor of the value for ratemaking purposes of the properties herein included, nor as an acquiescence in the value placed upon said properties by Missouri Gas Energy.

3. That the Commission reserves the right to consider the ratemaking treatment to be afforded the facilities constructed pursuant to the certificated of convenience and necessity granted herein and its resulting cost of capital in any later proceeding.

4. That this order shall become effective on the 28th day of April, 1995.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
Kincheloe and Crumpton, CC., concur.