

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

Percy Cannon,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. GC-2008-0169</u></b>
	)	
Missouri Gas Energy,	)	
	)	
Respondent.	)	

**STAFF'S RESPONSE TO ORDER DIRECTING FILING**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through the Commission's General Counsel, and in Response to the Commission's Order Directing Filing of November 28, 2007, hereby states as follows:

1. Missouri Gas Energy (MGE) filed its Response as directed on November 29, 2007. That response states facts that, if true, justify MGE's denial of service to Complainant under MGE's Commission-approved tariffs, Sheet R-19.1.

2. Under the Filed Rate Doctrine, MGE's tariff is the law of the land and is binding on MGE, Mr. Cannon, and this Commission. *Snelling v. Southwestern Bell Telephone Co.*, 996 S.W.2d 601, 604 (Mo. App., E.D. 1999); *Bauer v. Southwestern Bell Telephone Co.*, 958 S.W.2d 568, 570 (Mo. App., E.D. 1997); *State ex rel. Associated Natural Gas Co. v. Public Service Commission of the State of Missouri*, 954 S.W.2d 520, 530-31 (Mo. App., W.D. 1997).

3. Staff has no reason to doubt the facts asserted by MGE.

4. Staff cannot have its investigation report completed prior to December 14, 2007.

5. Staff has no objection to disposing of this matter on an expedited basis.

**WHEREFORE**, Staff prays that the Commission will accept its Response to its Order Directing Filing of November 28, 2007.

Respectfully submitted,

s/ Kevin A. Thompson \_\_\_\_\_  
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Attorney for the Staff of the Missouri  
Public Service Commission.

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **30<sup>th</sup> day of November, 2007**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson \_\_\_\_\_