

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of Missouri Gas Energy's Tariffs )	
Increasing Rates for Gas Service Provided to )	Case No. GR-2006-0422
Customers in the Company's Missouri )	
Service Area. )	

**MGE'S COMMENTS REGARDING STAFF'S JOINT STATEMENT  
OF ISSUES, CALENDAR OF ISSUES AND ORDER OF WITNESSES  
AND ORDER OF CROSS-EXAMINATION**

COMES NOW Missouri Gas Energy ("MGE") and states the following:

1. On November 28, 2006, Staff filed a Joint Statement of Issues, Calendar of Issues and Order of Witnesses and Order of Cross-Examination. While MGE concurs in much of Staff's list of issues, it has a number of differences not reflected in that document. Additionally, MGE does not concur in Staff's proposed Calendar of Issues.

2. With respect to the Joint Statement of Issues, MGE believes that Staff has incorrectly omitted OPC witness Russell Trippensee under the issue "Cost of Capital." Mr. Trippensee has testified on page 3 of his rebuttal that "I will comment on the direct testimony of Staff witness David Murray and MGE witness Frank J. Hanley with respect to their testimony and its relationship to the appropriate rate of return that this Commission should authorize." In a number of other locations in Mr. Trippensee's testimony, he has included what clearly is rebuttal of the direct testimony of various rate of return witnesses. See, page 8, lines 14-24; page 9, lines 14-20; and page 10, lines 1-16. MGE believes that Mr. Trippensee should be subject to cross-examination on that aspect of his

testimony at the same time that other cost of capital witnesses take the stand so there is some coherence in the record where this issue is concerned.

3. MGE witness Russell Feingold has been omitted under the issues "Low Income Weatherization/Natural Gas Conservation." Mr. Feingold has offered testimony on this topic on behalf of MGE and the company anticipates calling Mr. Feingold as a witness on this issue.

4. The listing of witnesses under each issue should be viewed as preliminary. Additional witnesses may need to be added as a consequence of who files surrebuttal testimony on what topic. Surrebuttal testimony is due on December 11, 2006.

5. As to the Calendar of Issues appearing on pages 7 and 8 of Staff's filing, this should be viewed as Staff's proposal and not that of MGE. MGE has a number of concerns about the order of issues and availability of the company's witnesses on the dates proposed by Staff, concerns that it has expressed to all parties. Staff's counsel has indicated a willingness to discuss a modification to the Calendar of Issues with the other parties of this case and MGE will endeavor to work with Staff and all other parties to update the Calendar of Issues with a proposal that is acceptable to all concerned.

WHEREFORE, MGE requests the Commission take note of MGE's disagreements and reservations concerning Staff's pleading.

BRYDON, SWEARENGEN & ENGLAND

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was electronically transmitted, sent by U.S. Mail, postage prepaid, or hand-delivered, on this 30th day of November, 2006, to:

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\_\_\_\_\_/s/ Paul A. Boudreau\_\_\_\_\_  
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