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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Transfer of Certain Assets )  
by Missouri Gas Energy, a Division of Southern ) Case No. GM-99-281  
Union Company, to Union Electric Company d/b/a )  
AmerenUE. )

ORDER AND NOTICE

On December 22, 1998, Missouri Gas Energy (MGE), a division of Southern Union Company, and Union Electric Company (UE), pursuant to Section 393.190, RSMo, filed a Joint Application requesting that the Commission authorize the sale by MGE to UE of the assets used to render gas service to its only customer in Audrain County, Ms. Cindy Maxwell-Schmidt (Customer).

The Application indicates that MGE is seeking authority to sell to UE a 1¼-inch bare steel service line, regulator and meter. The total value of this equipment is estimated by MGE to be \$0. MGE has contracted to sell this equipment to UE for \$1. Upon sale, the Customer of MGE affected by this sale will be served by UE.

MGE and UE have set out the terms of their agreement in a document entitled Bill of Sale (Agreement), which is marked as Attachment 2 and attached to the Application. The Agreement lists the specific equipment to be transferred to UE. Notice has been sent by MGE to the Customer and she has indicated her consent to the transfer by signing the notice.

Proper parties should be given notice and an opportunity to intervene in this matter. The Commission determines that notice of the Application should be sent to interested persons, an intervention date set and a procedural schedule established. Notice of this Application should be sent by the Commission's Records Department sending a copy of this order to the County Commission of Audrain County, Missouri and the Mayor of the City of Mexico, Missouri. The Commission further determines that the Information Office of the Commission should provide notice to the members of the General Assembly representing Audrain County and to the newspapers which serve Audrain County as listed in the newspaper directory of the current 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).

The parties have requested that certain filing requirements be waived in the instant case. Because of the relatively small size of the proposed transaction, the Commission will waive the requirements of 4 CSR 240-2.060(5)(E) and 4 CSR 240-2.060(5)(G) which would normally require the applicants to file an income statement and balance sheet showing the effects of the acquisition of property and a

statement of the impact the sale would have on tax revenues in the political subdivision in which the facilities are located.

**IT IS THEREFORE ORDERED:**

1. That the Records Department and Information Office of the Missouri Public Service Commission shall send notice as set forth in this order.

2. That the filing requirements of 4 CSR 240-2.060(5)(E) and 4 CSR 240-2.060(5)(G) are waived with respect to the proposed sale of assets.

3. That proper parties wishing to intervene shall file an application to intervene no later than January 29, 1999, with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and a copy of the application to intervene shall be sent to the applicants' attorneys:

Robert J. Hack  
Missouri Gas Energy  
3420 Broadway  
Kansas City, MO 64111

and:

Ronald K. Evans  
Ameren Services Company  
1901 Chouteau  
Post Office Box 66149  
St. Louis, Missouri 63166

and to:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102

3. That this order shall become effective on January 12, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Anji Gandhi, 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 30th day of December, 1998.

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DEC 30 1998  
COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION