STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a Session of the Public Service Commission held at its office in Jefferson City on the 19th day of June, 1997.

In the Matter of the Application of Missouri Pipeline Company for Waiver of and Variance from Section 3.1 and 3.2 of the Interruptible Provisional Transportation Services Rate Schedule found on P.S.C. Mo. No. 3, Sheets No. 16 and 17.

Case No. GO-97-285

In the Matter of the Application of
UtiliCorp United Inc., d/b/a Missouri
Public Service, for Permission,
Approval, and a Certificate of Public
Convenience and Necessity Authorizing
it to Construct, Install, Own, Operate,)
Control, Manage and Maintain a Gas
Distribution System for the Public in
the City of Owensville, Missouri and
Certain Other Unincorporated Areas
Located in Gasconade County and
Crawford County, Missouri.

Case No. GA-97-132 V

In the Matter of the Application of
Missouri Gas Company, for Permission,
Approval, and a Certificate of Public
Convenience and Necessity Authorizing
it to Construct, Own, Operate, Control,)
Manage and Maintain a Natural Gas
Transmission Pipeline and Related
Facilities and to Transport Natural
Gas in Portions of Crawford and
Gasconade Counties, Missouri.

Case No. GA-97-133

ORDER REGARDING MOTION FOR CLARIFICATION

The Commission issued its Report and Order in these consolidated cases on May 15, 1997, with an effective date of May 28. On May 27 the Staff of the Commission (Staff) filed a Motion for Clarification. In that Motion, the Staff raised five points with which it

confesses confusion. No responses to the Staff Motion were made by any other party to this case.

The Commission has considered the first four points noted by the Staff, all taken from language on pages 9 and 15 of the Report and Order. The language on page 9 of the Report and Order relates directly to ordered paragraph no. 3 on page 15. The Commission finds no reason to clarify the Commission's findings on page 9 or ordered paragraph no. 3 on page 15. Whether taken in or out of context, the Commission was clear in its findings, explanation of those findings, and the ordered paragraph. The Commission did not adopt the proposal of Fidelity Natural Gas, and did not require MoPipe and MoGas to offer discounts to nonaffiliates that are identical to those offered an affiliate, as is clear from the Report and Order. Similarly, the Commission did not order or suggest that MoPipe and MoGas must seek a waiver of Condition C each and every time that they wish to offer an affiliate customer a greater discount than a nonaffiliate. However, Staff has correctly perceived that it will review all future contracts between these companies and their affiliates "in order to . . . ensure fairness between affiliates and nonaffiliates of UtiliCorp."

In regard to the Staff request that the Commission require UtiliCorp United, Inc. to file a tariff clearly identifying the service area authorized by the Commission's Report and Order, the Commission states that it was the Commission's intent to do so. Omission of the requested ordered paragraph was an oversight that the Commission will correct in this order.

IT IS THEREFORE ORDERED:

1. That the Motion for Clarification filed May 27, 1997 by the Staff of the Commission is granted to the extent that UtiliCorp United,

Inc. is hereby ordered to file tariffs reflecting the metes and bounds of its service area awarded to it in the original Report and Order in this docket prior to commencing any construction or other activity in that service area, for approval by the Commission.

2. That this order shall become effective on the date hereof.

BY THE COMMISSION

Cecil I. Wright Executive Secretary

(S E A L)

Zobrist, Chm., Crumpton, Drainer, Murray, and Lumpe, CC., Concur.

ALJ: Derque