

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

In the Matter of)	
Southern Union Company,)	Case No. GT-2012-0183
Liability Tariff Filing)	Tariff No. YG-2012-0261

**RESPONSE OF MISSOURI GAS ENERGY IN OPPOSITION TO PUBLIC COUNSEL'S
APPLICATION FOR REHEARING**

COMES NOW Missouri Gas Energy, a division of Southern Union Company ("MGE") and for its Response in Opposition to Public Counsel's Application for Rehearing states the following:

1. On or about March 4, 2012, Public Counsel filed an Application for Rehearing in the referenced case with regard to the Commission's February 3, 2012, Order Approving Compliance Tariff Sheets (the "Order Approving Tariff") that approved tariff sheets filed by MGE as directed by the Commission's November 9, 2011, Final Decision and Order to File a New Tariff Sheet (the "Final Decision") Case No. GC-2011-0100. MGE's compliance tariffs were filed on December 12, 2011, and a Substitute Tariff Filing was made on January 6, 2012.

2. The only issue properly before the Commission with regard to the Order Approving Tariff whether the substitute tariffs filed by MGE on January 6th, and subsequently approved by the Commission, comply with the Commission's Final Decision. In this regard, Public Counsel's sixteen-page Application for Rehearing concerning the Order Approving Tariff fails to allege that MGE's tariffs are not in

compliance with the Final Decision. The Application for Rehearing should therefore be denied.

3. Further, the matters set forth in Public Counsel's Application for Rehearing all go to the merits of the underlying Final Decision in Case No. GC-2011-0100. As Public Counsel notes in footnote 4, it has appealed the Final Decision to the Western District Court of Appeals which had designated the matter as Appeal No. WD74731. To the extent that Public Counsel's Application for Rehearing in this case addresses matters that it failed to raise in the Application for Rehearing it filed in Case No. GC-2011-0100, those matters have been waived.

WHEREFORE, for the reasons aforesaid, MGE requests that the Commission deny Public Counsel's Application for Rehearing.

Respectfully submitted,

/s/ Paul A. Boudreau
Paul A. Boudreau MBE #33155
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
Phone: (573) 635-7166
Fax: (573) 634-7431
paulb@brydonlaw.com

Todd J. Jacobs MBE #52366
Senior Attorney
Missouri Gas Energy,
a division of Southern Union Company
3420 Broadway
Kansas City, MO 64111
Phone: (816) 360-5976
Fax: (816) 360-5903
todd.jacobs@sug.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission to all counsel of record on this 6th day of March, 2012.

Kevin Thompson
Public Service Commission
200 Madison Street
Jefferson City, MO 65102

Marc Poston
Office of Public Counsel
200 Madison Street
Jefferson City, MO 65102

/s/ Paul A. Boudreau
Paul A. Boudreau