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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 25th
day of February, 1998.

In the Matter of Missouri Gas Energy's)
Tariff Sheets Designed to Increase Rates) Case No. GR-98-140
for Gas Service in the Company's Missouri)
Service Area.)

In the Matter of Missouri Gas Energy's)
Proposed Modifications to its Facilities) Case No. GT-98-237 ✓
Extension Policy.)

ORDER DENYING APPLICATION FOR REHEARING AND
DENYING MOTION FOR RECONSIDERATION, AND
GRANTING CLARIFICATION SUA SPONTE

On February 5, 1998, the Commission issued its Order Granting Motion to Compel in Part, Denying Motion to Compel in Part, and Granting Expedited Consideration. On February 17, 1998, Missouri Gas Energy (MGE) filed its Application for Rehearing and Motion for Reconsideration.

On February 24 Riverside/Mid-Kansas filed a Response in Opposition to Application for Rehearing and Motion for Reconsideration and Request for Extension of Time and/or Sanctions. Riverside/Mid-Kansas state MGE's filing is an impermissible collateral attack on the Commission's grant of intervention to Riverside/Mid-Kansas. Riverside/Mid-Kansas point out that as of February 23 Riverside/Mid-Kansas had not received responses to approximately nine of the data requests despite the Commission's order that MGE provide responses to data requests 2 through 102 no later than February 18. Riverside/Mid-Kansas request that the filing date for direct testimony be extended by at least one week, that the Commission deny the requests for rehearing or oral argument and that the Commission consider

imposing additional sanctions on MGE for failure to comply with the Commission's order.

The Commission has reviewed MGE's Application for Rehearing and Motion for Reconsideration and finds that sufficient cause to grant rehearing or reconsideration does not appear. Therefore, the Commission will deny MGE's Application for Rehearing and Motion for Reconsideration, and the Commission will deny the requests of MGE to set this matter for oral argument and to revoke the intervention status of Riverside Pipeline Company, L.P. and Mid-Kansas Partnership (Riverside/Mid-Kansas).

The Commission will grant the following clarification *sua sponte* with regard to its Order Granting Motion to Compel in Part, Denying Motion to Compel in Part, and Granting Expedited Consideration issued on February 5. In cases pending before the Commission, the scope of discovery is not limited to interests stated by a party in its application to intervene. An application to intervene is filed early in the case before many disputed issues have been explored and identified. The Commission determines that the scope of discovery of Riverside/Mid-Kansas should not be limited strictly to the operational matters stated in their application to intervene.

Riverside/Mid-Kansas are not required to file direct testimony until March 13. Therefore, at this time the Commission will not grant the request of Riverside/Mid-Kansas to extend the filing date for direct testimony by at least one week. However, in the event that MGE causes further delays in providing responses to data requests, the Commission may consider imposing sanctions or extending filing dates.

IT IS THEREFORE ORDERED:

1. That the Application for Rehearing and Motion for Reconsideration filed by Missouri Gas Energy, on February 17, 1998, are hereby denied.

2. That this order shall become effective on March 10, 1998.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized font.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Murray, and Drainer, CC., concur.
Crumpton, C., absent.

G. George, Regulatory Law Judge