

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

CASE NO. GA-88-159

In the matter of the application
of O'Fallon Gas Service, Inc.,
for permission, approval, and a
certificate of convenience and
necessity authorizing it to
construct, install, own, operate,
control, manage, and maintain a
central propane gas distribution
system for the public in Lincoln
County, Missouri.

APPEARANCES: Gary W. Duffy, Attorney at Law, Hawkins, Brydon, Swearengen
& England, P.C., P. O. Box 456, Jefferson City, Missouri
65102, for O'Fallon Gas Service, Inc.

Katherine C. Swaller, Attorney at Law, P. O. Box 149,
1901 Gratiot Street, St. Louis, Missouri 63166, for
Union Electric Company.

William K. Haas, Assistant General Counsel, P. O. Box 360,
Jefferson City, Missouri 65102, for the Staff of the
Missouri Public Service Commission.

HEARING

EXAMINER: C. Gene Fee

REPORT AND ORDER

On December 3, 1987, O'Fallon Gas Service, Inc. (Applicant) filed an
application with the Commission seeking a certificate of public convenience and
necessity to provide metered central propane gas distribution service in Lincoln
County, Missouri. By orders of the Commission, notice of the application was given
and a procedural schedule was set. A timely application to intervene was filed on
behalf of Union Electric Company.

EE
R & D Binder

At the convening of the hearing on September 8, 1988, a Stipulation and Agreement executed by all parties, proposed disposition of all issues was offered in lieu of an evidentiary presentation.

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

The Stipulation and Agreement, which has been received into evidence, delineates all matters of agreement between the signatory parties regarding the disposition of this matter and is attached hereto as Appendix A and is incorporated herein by reference.

Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

The Applicant proposes to extend operations as a public utility, subject to the jurisdiction of this Commission, pursuant to Chapters 386 and 393, RSMo 1986.

The Commission may accept a stipulated settlement on any or all contested matters submitted by the parties. Since the Commission is of the opinion that the matters of agreement between the parties in this matter are reasonable and proper the Stipulation should be accepted.

It is, therefore,

ORDERED: 1. That the Stipulation and Agreement entered into between the parties to this matter, identified as Exhibit 2 and attached hereto, is hereby accepted and adopted in disposition of all matters in this case.

ORDERED: 2. That for the purpose of implementing the Stipulation and Agreement entered into in this proceeding, O'Fallon Gas Service, Inc., is hereby granted an additional certificate of convenience and necessity authorizing it to construct, own, operate, control, manage and maintain a metered central propane gas

d contribution service in portions of Lincoln County, Missouri, more fully described in
Tariff Sheets 1, CSA-1, CSA-2, CSA-3, CSA-4, CSA-5, and CSA-6, attached to Exhibit 2.

ORDERED: 3. That for the purposes of implementing the Stipulation and
Agreement O'Fallon Gas Service, Inc., is hereby directed to file, for Commission
approval, tariffs including rates, rules for service, and a service area description
covering the service to be provided as a result of this Report and Order.

ORDERED: 4. That this Report and Order shall become effective on
September 26, 1988.

BY THE COMMISSION

Harvey G. Hubbs

Harvey G. Hubbs
Secretary

(S E A L)

Steinmeier, Chm., Mueller, Hendren,
and Fischer, CC., Concur.
Musgrave, C., Absent.

Dated at Jefferson City, Missouri,
this 16th day of September, 1988.

FILED

JUL 28 1988

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

In the matter of the application)
 of O'Fallon Gas Service, Inc. for)
 permission, approval, and a certif-)
 icate of convenience and necessity)
 authorizing it to construct,)
 install, own, operate, control,)
 manage and maintain a central)
 propane gas distribution system for)
 the public in Lincoln County,)
 Missouri.)

Case No. GA-88-159

STIPULATION AND AGREEMENT

Comes now O'Fallon Gas Service, Inc. ("Applicant"),
 Intervener Union Electric Company, and the Staff of the Missouri
 Public Service Commission, and stipulate and agree as follows:

1. On December 3, 1987, Applicant filed an application for
 a certificate of public convenience and necessity to provide
 metered central propane gas distribution service throughout
 Lincoln County, Missouri.

2. On April 8, 1988, the Commission granted Union Electric
 Company's application to intervene. The Public Counsel, although
 notified of the proceedings, has not participated.

3. The undersigned parties have met on several occasions
 to discuss appropriate territorial boundaries for purposes of
 this certificate application. After discussion and negotiation,
 the undersigned parties have agreed to recommend five separate
 service areas to the Commission for its approval pursuant to
 section 393.170 RSMo 1986. These areas are depicted in tariff
 sheets attached hereto as Exhibit A. In consideration of this
 position by the other parties, Applicant is willing to amend its

application hereby to restrict the territory it seeks to have certificated to the five areas identified in Exhibit A.

4. The parties have reviewed the seven tariff sheets in Exhibit A, designated Mo. PSC No. 4, Sheets No. 1, CSA-1, CSA-2, CSA-3, CSA-4, CSA-5, and CSA-6, and recommend that, after notice and hearing as required by §393.170 RSMo, the Commission issue an order granting a certificate of public convenience and necessity to applicant for the areas referenced in those sheets, and approving said sheets for filing with the Commission.

5. This Stipulation and Agreement is a negotiated settlement and the parties shall not be deemed to have approved or acquiesced to any particular regulatory or ratemaking principle by entering into same; this Stipulation and Agreement shall not prejudice, bind or affect any party hereto, except to the extent necessary to give effect to the terms of this Stipulation and Agreement.

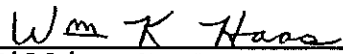
6. That a hearing shall be held at the Commission, at which time the verified application of Applicant and this Stipulation and Agreement shall be received in evidence in this proceeding without the necessity of any witness taking the witness stand; each party hereby waives its right to cross-examine any witness with respect to the matters in the Stipulation and Agreement and Application.

7. That in the event the Commission, after said hearing, accepts the specific terms of this Stipulation and Agreement, the parties waive their respective rights to present oral arguments

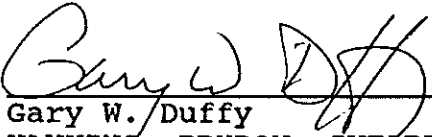
or written briefs and the reading of the transcript, pursuant to Section 536.080, RSMo 1986, and their respective rights to judicial review pursuant to Section 386.510 RSMo 1986;

8. That the agreements contained in this Stipulation and Agreement have resulted from extensive negotiations among the signatory parties and are interdependent; that in the event the Commission does not approve and adopt the terms of this Stipulation and Agreement and in the event the tariffs agreed to herein do not become effective in accordance with the provisions contained herein, this Stipulation and Agreement shall be void and no party shall be bound by any of the agreements or provisions hereof.


Respectfully submitted,


William K. Haas
Assistant General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Attorney for the Staff of the
Missouri Public Service Commission


Gary W. Duffy
HAWKINS, BRYDON, SWEARENGEN
& ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102

Attorneys for O'Fallon Gas Service Inc.


Katherine C. Swaller
Union Electric Company
P.O. Box 149 (M/C 1310)
1901 Gratiot Street
St. Louis, Missouri 63166

Attorney for Union Electric
Company

Dated: July 28, 1988

FORM NO. 13 P.S.C.MO. No. 4 2nd {ORIGINAL} SHEET No. 1
{Revised}
Cancelling P.S.C.MO. No. 4 1st {ORIGINAL} SHEET No. 1
{Revised}
O'Fallon Gas Service, Inc. For Service Area
Name of Issuing Corporation Community, Town or City

INDEX	
	Sheet Nos.
<u>Index</u>	1
<u>Certificated Service Area</u>	CSA-1 - CSA-6
<u>Propane L-P Gas</u>	
Service Schedule	2
Purchased Gas Adjustment Clause	3
Propane PGA Tariff Rider	4
New Service Limitation	5
(Reserved for future use)	6
<u>Rules and Regulations</u>	
1. General Terms	7 - 7.3
2. Billing and Payment	8 - 8.1
3. Discontinuance of Service	9 - 9.1
4. Avoiding Discontinuance and Reconnection	10 - 10.1
5. Deposits and Guarantees of Payment	11 - 11.2
6. Extensions	12 - 12.2
7. Meters, Customer Piping and Equipment	13 - 13.2
*Indicates new rate or text +Indicates change	

DATE OF ISSUE month day year DATE EFFECTIVE month day year
ISSUED BY James L. Dickherber President P. O. Box 138, Flint Hill,
name of officer title address MO 63346
Exhibit A

FORM NO. 13

P.S.C.MO. No. 4

{ Original }
{ Revised }

SHEET No. CSA-1

Cancelling P.S.C.MO. No.

{ Original }
{ Revised }

SHEET No.

O'Fallon Gas Service, Inc.

For

Service Area

Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)

O'Fallon Gas Service, Inc., is authorized to provide service in several areas in Missouri pursuant to orders issued by the Missouri Public Service Commission. The following sheets designated "CSA" contain descriptions and accompanying maps for specific areas which have been the subject of some of the applications granted by the Commission. The areas presented in these sheets are organized by county.

Lincoln County:

Case No. GA-88-159

St. Charles County:

*Indicates new rate or text
+Indicates change

DATE OF ISSUE month day year DATE EFFECTIVE month day year

ISSUED BY James L. Dickherber, President, P. O. Box 138, Flint Hill, MO 63346
name of officer title address

FORM NO. 13

P.S.C.MO. No. 4

{ Original
Revised }

SHEET No. CSA-2

Cancelling P.S.C.MO. No.

{ Original
Revised }

SHEET No.

O'Fallon Gas Service, Inc.

For Service Area

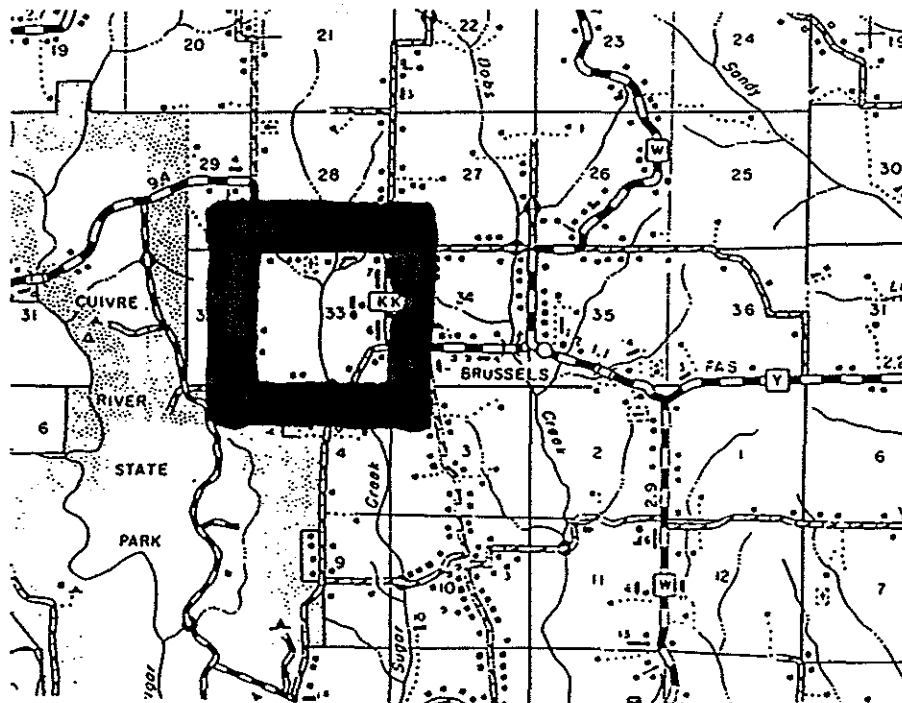
Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)

"Deer Run" Area

Area is Section 33, Range 1 East, Township
50 North in Lincoln County.



*Indicates new rate or text

+Indicates change

DATE OF ISSUE month day year DATE EFFECTIVE month day year

ISSUED BY James L. Dickherber, President, P. O. Box 138, Flint Hill, MO 63346
name of officer title address

FORM NO. 13

P.S.C.MO. No. 4

{ Original } SHEET No. CSA-3
{ Revised }

Cancelling P.S.C.MO. No.

{ Original } SHEET No.
{ Revised }

O'Fallon Gas Service, Inc.

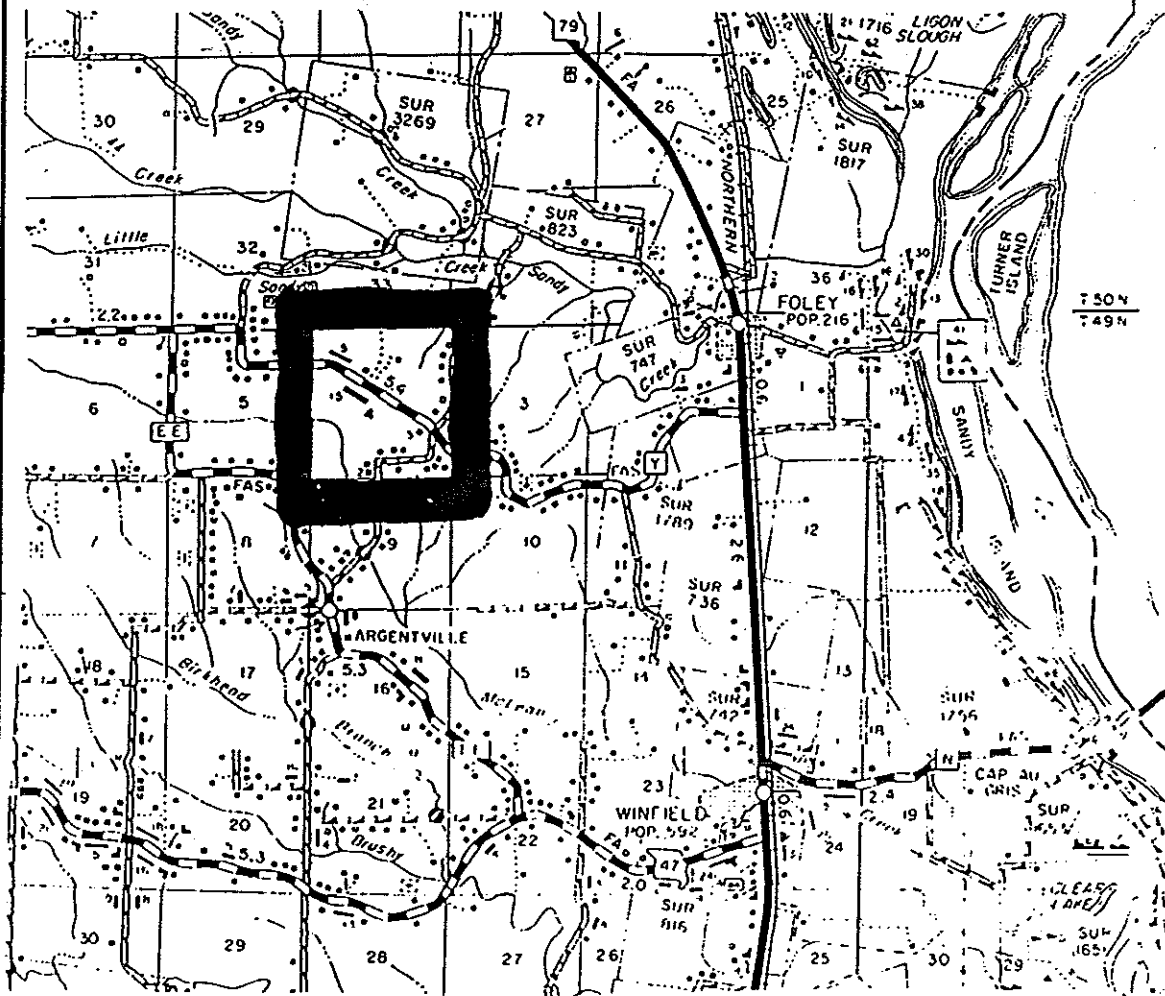
For Service Area

Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)

"Daniel Home Sites" Area

Area is Section 4, Range 2 East, Township 49 North
in Lincoln County

*Indicates new rate or text
+Indicates change

DATE OF ISSUE _____
month day yearDATE EFFECTIVE _____
month day yearISSUED BY James L. Dickherber, President, P. O. Box 138, Flint Hill, MO 63346
name of officer title address

FORM NO. 1

P.S.C.MO. No. 4

{ Original

SHEET No. CSA-4

{ Revised

Cancelling P.S.C.MO. No.

{ Original

SHEET No.

{ Revised

O'Fallon Gas Service, Inc.

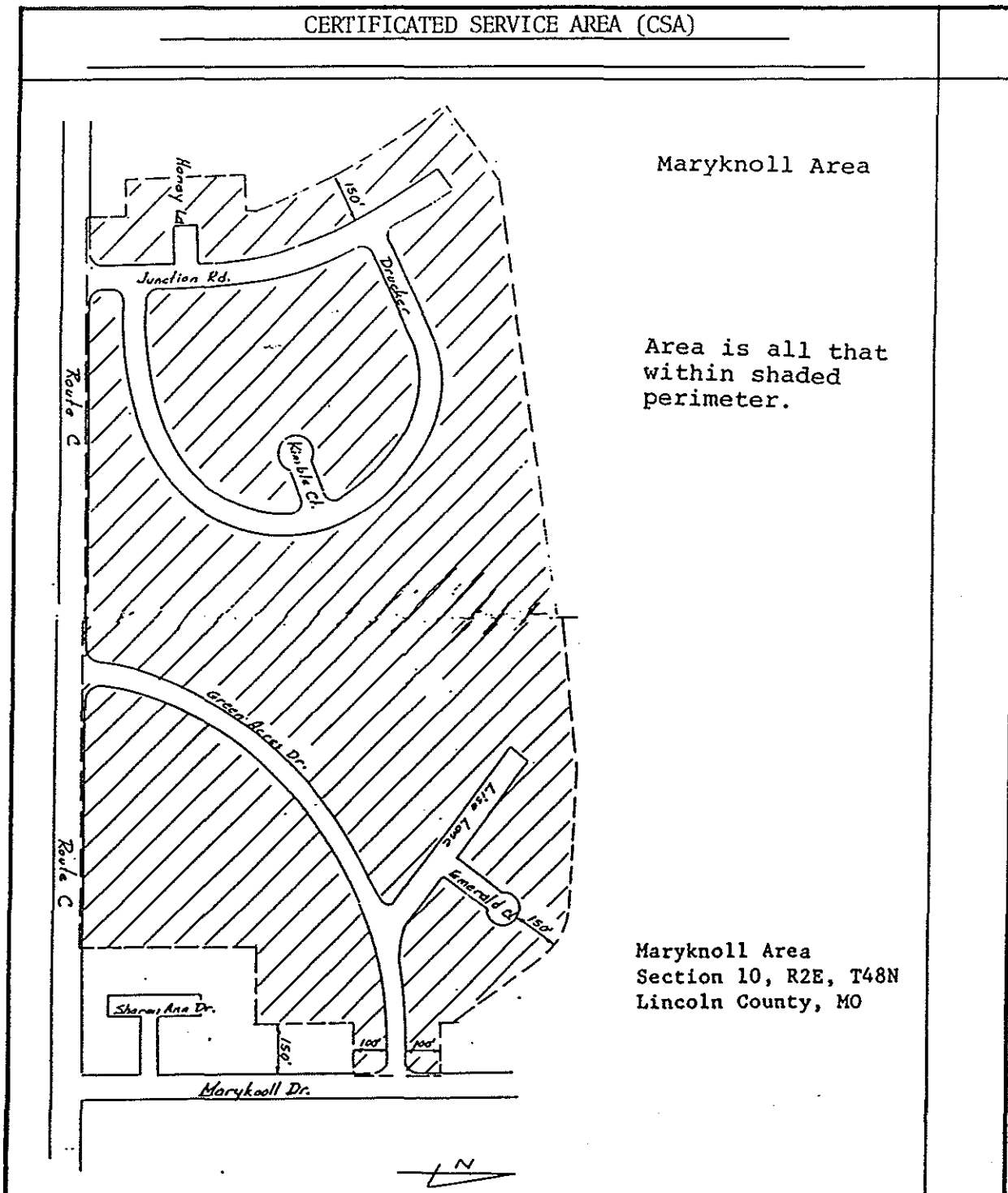
For

Service Area

Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)



DATE OF ISSUE

month day year

DATE EFFECTIVE

month day year

ISSUED BY James L. Dickherber, President, P. O. Box 138, Flint Hill, MO 63346

name of officer

title

address

FORM NO. 13

P.S.C.MO. No. 4{ Original } SHEET No. CSA-5
{ Revised }

Cancelling P.S.C.MO. No. _____

{ Original } SHEET No. _____
{ Revised }

O'Fallon Gas Service, Inc.

For _____

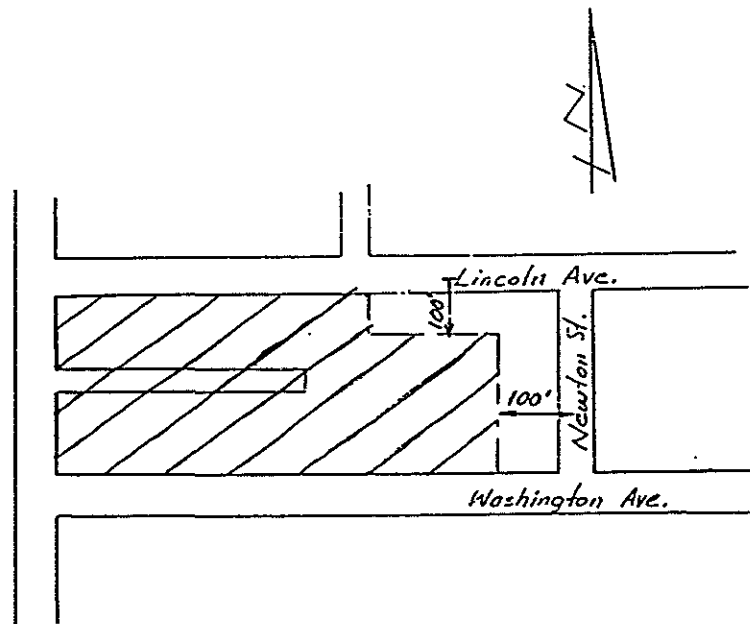
Service Area

Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)

McCarty's Mobil Court Area

Area is all that
within shaded
perimeter.

McCarty's Mobil Court
Hawk Point, MO
Section 33, T 49 N, R 2 W
Lincoln County, MO

*Indicates new rate or text
+Indicates change

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month day year month day yearISSUED BY James L. Dickherber, President, P. O. Box 138, Flint Hill, MO 63346
name of officer title address

FORM NO. 13

P.S.C.MO. No. 4

{ Original
Revised }

SHEET No. CSA-6

Cancelling P.S.C.MO. No.

{ Original
Revised }

SHEET No.

O'Fallon Gas Service, Inc.

For

Service Area

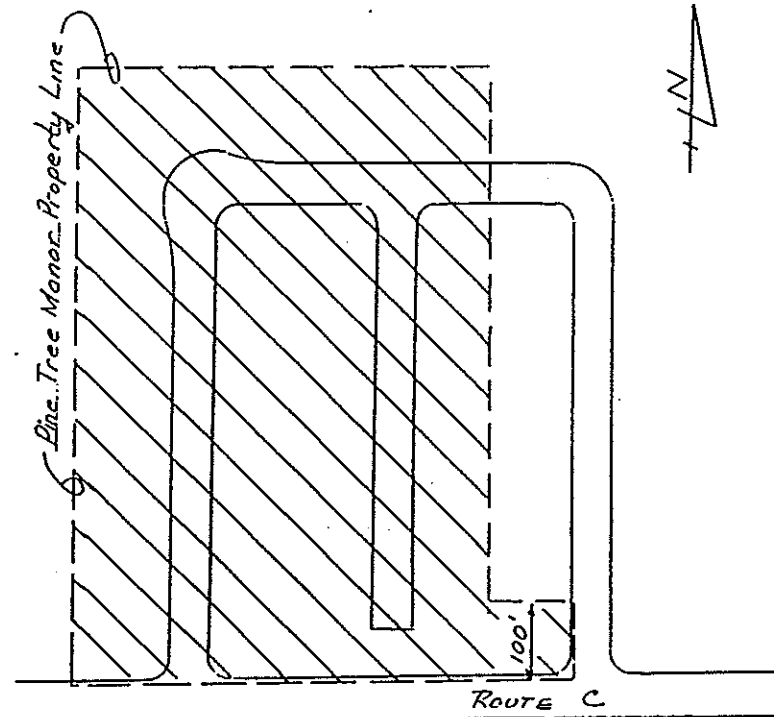
Name of Issuing Corporation

Community, Town or City

CERTIFICATED SERVICE AREA (CSA)

Pine Tree Manor Area

Area is all that
within shaded
perimeter.



Pine Tree Manor
Moscow Mills, MO
Sections 4 & 5, R1E, T48N
Lincoln County, MO

*Indicates new rate or text

+Indicates change

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