

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

In the Matter of Southern Union	)	
Company d/b/a Missouri Gas Energy's	)	Case No. GE-2011-0282
Application for Waiver/Variance	)	

**PROPOSED PROCEDURAL SCHEDULE OF STAFF AND  
THE OFFICE OF THE PUBLIC COUNSEL**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and, on behalf of the Staff and the Office of the Public Counsel (OPC), in response to the Commission's September 28, 2011 Notice of Contested Case Order Denying Motions for Summary Judgment and Directing Filing, states:

1. On June 29, 2011 Missouri Gas Energy (MGE) filed in this case asking the Commission to grant MGE a waiver from one of the principal conditions contained in the Stipulation and Agreement in Case No. GM-2003-0238.<sup>1</sup>

2. MGE seeks a waiver from a requirement that MGE would prevent its customers from the detriment of higher ACA charges by agreeing to charge its customers for transportation and storage services provided by PEPL at the same level it was paying PEPL at the time Southern Union purchased PEPL. This was referred to in the Stipulation as the "discount preservation mechanism."

3. On September 28 the Commission denied OPC's Motion for Summary Judgment and ordered the Parties to file a joint proposed procedural schedule.

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<sup>1</sup> The case was captioned *In the Matter of the Application of Southern Union Company d/b/a Missouri Gas Energy for Authority to Acquire Directly, or Indirectly, Up to and Including One Hundred Percent (100%) of the Equity Interests of Panhandle Eastern Pipeline Company including its Subsidiaries, and to Take All Other Actions Reasonably Necessary to Effectuate Said Transaction.*

4. The Parties have been unable to reach agreement and in order to complete the filing in a timely manner Staff and OPC file their recommend proposed procedural schedule.

DIRECT TESTIMONY (MGE)	October 27, 2011
REBUTTAL TESTIMONY (Staff / OPC)	Dec 15, 2011
SURREBUTTAL TESTIMONY (MGE) CROSS-SURREBUTTAL (Staff / OPC)	Jan 12, 2011
LIST OF ISSUES, ORDER OF WITNESSES, ORDER OF CROSS	Jan 19, 2011
STATEMENTS OF POSITION	Jan 30, 2011
EVIDENTIARY HEARING	Feb 8-9, 2012
BRIEFS	March 9 or 16, 2012

**WHEREFORE**, Staff, and the Office of the Public Counsel recommend the Commission adopt the procedural schedule above.

Respectfully submitted,

**/s/ Lera L. Shemwell**

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**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 13<sup>th</sup> day of October, 2011.

**/s/ Lera L. Shemwell**