

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

In the Matter of The Empire District Gas)	
Company of Joplin, Missouri for Authority to)	<u>Case No. GR-2009-0434</u>
File Tariffs Increasing Rates for Gas Service)	Tariff No. YG-2009-0855
Provided to Customers in the Missouri)	
Service Area of the Company)	

**MOTION TO EXTEND DATE FOR FILING OF PRE-FILED SURREBUTTAL
TESTIMONY ON TRANSPORTATION ISSUES**

COMES NOW Constellation NewEnergy-Gas Division, LLC (hereinafter referred to as "Constellation"), by and through counsel, and states as follows:

1. Constellation generally concurs in the *Motion to Extend Date for Filing of Pre-Filed Testimony* filed by Staff in this case on December 9, 2009.
2. Constellation requests that the extension requested in that pleading for the filing of pre-filed Surrebuttal testimony, from December 22 to December 29, 2009, also be granted as to Surrebuttal testimony regarding transportation issues.
3. Rebuttal testimony regarding transportation issues was filed on December 9, 2009. The requested extension for transportation Surrebuttal testimony will afford greater opportunity for settlement discussions among the parties and will not prejudice any of the parties to this case, nor would it require any other change in the existing procedural schedule.
4. Counsel for all parties to this case have been contacted and have no objection to this proposed extension.

WHEREFORE, Constellation requests the Commission extend the date for the filing of pre-filed Surrebuttal testimony regarding transportation issues until December 29, 2009.

Respectfully submitted,

/s/ William D. Steinmeier

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been served electronically on the Office of Public Counsel at opcservice@ded.mo.gov, on the General Counsel's office at gencounsel@psc.mo.gov, and on all counsel of record on this 10th day of December 2009.

/s/ William D. Steinmeier

William D. Steinmeier