

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 8, 2001**

CASE NO: GE-2001-393

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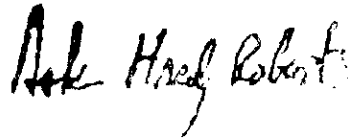
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Enclosed find certified copy of an Order in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 8th
day of February, 2001.

In the Matter of Missouri Gas Energy's)	
Application for Variance from Sheet Nos. 24.18)	
and 61.4 to Permit the Use of Certain Federal)	<u>Case No. GE-2001-393</u>
Refunds and Unauthorized Use Charge Collections)	
for the Benefit of Low-Income Customers in the)	
Company's Service Area.)	

ORDER SETTING HEARING

On January 18, 2001, Missouri Gas Energy (MGE), a division of Southern Union Company, filed an Application for Variance and Motion for Expedited Treatment. MGE requested that the Commission grant as expeditiously as possible, and preferably no later than early February 2001, a variance pursuant to Sheet No. 24.18 of its approved tariff regarding the treatment within the Purchased Gas Adjustment (PGA) of certain federal refunds and certain unauthorized use charge collections. Instead of refunding these moneys to all customers as a reduction in PGA rates, MGE seeks to assign these moneys to the Mid-American Assistance Coalition (MAAC), to assist low-income customers in MGE's service territory who are having difficulty paying their gas bills. MGE indicates that if the Commission approves this application for variance, it will contribute an additional \$250,000 to the MAAC.

The Staff of the Missouri Public Service Commission (Staff) filed Suggestions in Opposition to Application for Waiver on January 29, 2001. On the same date, the Office of the Public Counsel (Public Counsel) filed its Response opposing the request for variance. Midwest Gas Users' Association (Midwest) filed an application to intervene and statement of

position on January 25, 2001. Midwest's application to intervene was granted on February 1, 2001. Midwest filed a clarification of its position on February 5, 2001. MGE filed further responses on January 30, 2001, and February 2, 2001.

The Commission has determined that prior to taking any action on MGE's application for variance, it requires additional information. The Commission will expeditiously schedule a hearing to allow the parties to present any evidence that is necessary in order for the Commission to make its determination, and to provide an opportunity for the parties to present legal arguments as to whether the Commission has the legal authority to grant this application for variance. The presiding officer will set the order of procedure at the beginning of the hearing.


IT IS THEREFORE ORDERED:

1. That the parties to this case shall appear for a hearing on February 15, 2001, beginning at 1:30 p.m. The parties shall have appropriate witnesses present evidence, and counsel shall provide legal argument as to whether the Commission can grant the requested variance.

2. That the hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards required by the Americans With Disabilities Act. If any person needs additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

3. That this order shall become effective on February 13, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Schemenauer,
and Simmons, CC., concur.
Murray, C., absent.

Ruth, Regulatory Law Judge

ALJ/Sec'y:

Ruth Pope

Date Circulated

2-6

GE-2001-393
CASE NO.

Lumpke, Chair

Draimer, Vice Chair

Murray, Commissioner

Schneidman, Commissioner

Simmons, Commissioner

Agenda Date

2-8

Action taken:

4-044A

Must Vote Not Later Than

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 8th day of February 2001.

Dale Hardy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

