STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY May 3, 2001

CASE NO: GE-2001-393

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

Sincerely,

Dale Hardy Roberts

Ask Hord 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 3rd day of May, 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) Cas	se No.	GE-2001-393
Refunds and Unauthorized Use Charge Collections)		
for the Benefit of Low-Income Customers in the)		
Company's Service Area.)		

ORDER DENYING MOTION FOR RECONSIDERATION AND DENYING REHEARING

On March 6, 2001, the Commission issued its Report and Order in this matter. Thereafter, on March 15, 2001, a timely Motion for Reconsideration and Application for Rehearing was filed by Missouri Gas Energy (MGE) and the Mid America Assistance Coalition (MAAC). MGE and MAAC argue that the Commission is wrong in its determination that Commission is prohibited by statute from granting the requested variance. MGE and MAAC also suggest that the Commission "would be well-advised to grant reconsideration or rehearing for the sole purpose of moderating the language used throughout the Report and Order."

Section 386.500, RSMo 2000, provides that the Commission shall grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear." The arguments regarding rehearing and reconsideration presented by MGE and MAAC simply restate the arguments that were previously presented to the Commission and rejected in the Report and Order. In the judgment of the Commission, MGE and MAAC failed to establish sufficient reason to grant its application for rehearing or reconsideration.

IT IS THEREFORE ORDERED:

- 1. That the application for rehearing filed by Missouri Gas Energy is denied.
 - 2. That this order shall become effective on May 3, 2001.

BY THE COMMISSION

Ask Hood Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Lumpe, Ch., Drainer, and Murray, CC., concur. Simmons, C., dissents. Gaw, C., not participating.

Ruth, Regulatory Law Judge

ALJ/Secretary: Ruth Roll

Slow of Chair

Lumpe. Chair

Drainer, Vice Chair

Murray, Commissioner

(S)

Simmons, Commissioner

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Action taken:

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 3^{rd} day of May 2001.

Dale Hardy Roberts

Ask Hard Roberts

Secretary/Chief Regulatory Law Judge