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BRIAN K. BOGARD

OF COUNSEL  
RICHARD T. CIOTONE

March 23, 2001

**FILED<sup>3</sup>**

MAR 23 2001

Mr. Dale Hardy Roberts  
Executive Secretary  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

Missouri Public  
Service Commission

6A-2001-509

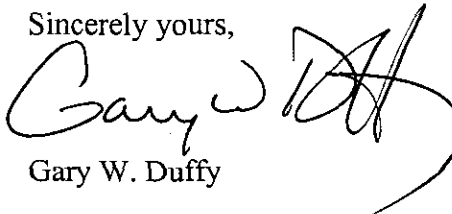
**RE: Application for CCN by Missouri Gas Energy**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of an Application by Missouri Gas Energy for a certificate of public convenience and necessity allowing it to operate a gas distribution system in Section 10, Township 25 North, Range 32 West in Newton County, Missouri.

If you have any questions, please give me a call.

Sincerely yours,

  
Gary W. Duffy

Enclosures

cc w/encl:

Office of Public Counsel  
Office of the General Counsel

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

**FILED<sup>3</sup>**

MAR 23 2001

Missouri Public  
Service Commission

In the matter of the application of Missouri Gas     )  
Energy, a division of Southern Union Company, for )  
a certificate of public convenience and necessity     )  
authorizing it to construct, install, own, operate;     )  
control, manage and maintain a natural gas     )  
distribution system to provide gas service in )  
Section 10 of Township 25 North, Range 32 West     )  
in Newton County, Missouri, as an expansion of its     )  
existing certificated area.     )

Case No. GA-2001- 509

**APPLICATION**

Comes now Missouri Gas Energy, a division of Southern Union Company, ("MGE" or "Applicant"), by and through its counsel, and for its application pursuant to Section 393.170 RSMo 2000 and 4 CSR 240-2.060(1) and (4) for a certificate of public convenience and necessity, respectfully states as follows:

1. Applicant is Missouri Gas Energy, a division of Southern Union Company. MGE's principal office is located at 3420 Broadway, Kansas City, Missouri 64111.
2. Southern Union Company is a corporation duly incorporated under the laws of the state of Delaware and conducts business in Missouri under the fictitious name of Missouri Gas Energy. A copy of a certificate from the Missouri Secretary of State that Southern Union Company is authorized to do business in Missouri as a foreign corporation is attached as **Appendix A**. A copy of a certificate from the Missouri Secretary of State that Missouri Gas Energy is a registered fictitious name of Southern Union Company is attached as **Appendix B**. Southern Union Company has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past three (3) years which involve

customer service or rates. Missouri Gas Energy has no annual report or assessment fees which are overdue.

3. MGE conducts the business of a "gas corporation" and provides natural gas service in the Missouri counties of Andrew, Barry, Barton, Bates, Buchanan, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cooper, Dade, Dekalb, Greene, Henry, Howard, Jackson, Jasper, Johnson, Lafayette, Lawrence, McDonald, Moniteau, Newton, Pettis, Platte, Ray, Saline, Stone, and Vernon, subject to the jurisdiction of the Missouri Public Service Commission (Commission).

4. All correspondence, communications, notices, order and decisions of the Commission with respect to this matter should be sent to:

Michael R. Noack  
Manager, Pricing & Regulatory Affairs  
Missouri Gas Energy  
3420 Broadway  
Kansas City, Missouri 64111  
Tel: (816) 360-5560  
Fax: (816) 360-5536  
Email: [Mike.Noack@Southernunionco.com](mailto:Mike.Noack@Southernunionco.com)

Gary W. Duffy, Attorney at Law  
Brydon, Swearengen & England P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456  
Tel: (573) 635-7166  
Fax: (573) 635-3847  
Email: [Duffy@Brydonlaw.com](mailto:Duffy@Brydonlaw.com)

5. Attached hereto and marked as **Appendix C** is a map of the location of the proposed service area of Section 10, Township 25 North, Range 32 West in Newton County, Missouri. MGE already has a certificate from the Commission to serve sections 13, 14, 15, 22,

23, 24, 25, 26, 35 and 36 in that same Township and Range, in addition to numerous other sections in Newton County.

6. Attached hereto and marked as Appendix D is a metes and bounds legal description of the proposed boundaries of the certificated area in Newton County, consisting of one (1) section.

7. Attached hereto and marked as Appendix E is a summary of the plans and specifications for the project including the estimated cost of construction and estimated revenues during the first three years. No particular external financing is anticipated for construction related to this area. Construction methods will follow MGE's customary standards and the rules of the Commission.

8. Attached hereto and marked as Appendix F is a list of ten persons residing in or who are landowners within the proposed service area.

9. The Twin Oaks Cabinet Shop has requested that MGE provide them with gas service. The Twin Oaks Cabinet Shop is located within Section 10, Township 25 North, Range 32 West, at 11727 Gateway Drive, Neosho, Missouri, in Newton County. This is an area where MGE currently does not hold a certificate for gas service from the Commission. MGE has determined that in order to provide natural gas service to the Twin Oaks Cabinet Shop, the most efficient and economical method would be to extend a 4 inch diameter plastic main approximately 6,000 feet into this new area. Because MGE does not have a certificate from the Commission for the area where this potential new customer who has requested service is located, it is necessary for MGE to obtain the requisite permission from the Commission.

10. Applicant will not require any additional franchises or permits from

municipalities, counties, or other authorities in connection with the proposed construction other than the usual and customary state highway, railroad and county road permits which will be obtained prior to construction.

11. Applicant's existing rates and regulations for natural gas service contained in its tariff, as the same may be allowed to change from time to time pursuant to law, will apply to service in the proposed area.

12. The area in which MGE is seeking to be certificated hereby is expected to develop and require natural gas service. Service from a Commission-regulated natural gas supplier is not available in this area at the present time. The construction of this main extension in order to serve Twin Oaks Cabinet Shop may also contribute to future economic development in the proposed area. Since MGE has the ability to provide service in these areas by construction of additions to existing facilities, MGE believes that potential new customers should be afforded the opportunity to take service from MGE if they so desire, pursuant to MGE's extension rule.

13. No gas transmission lines are required to be constructed as a part of this application.

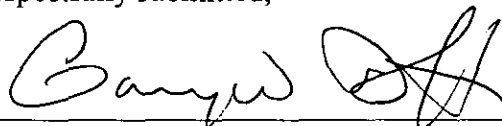
14. There are no municipalities located within the proposed service area.

15. MGE further states that the potential customer in the proposed new service area desires natural gas service at the earliest practical time since the customer is currently in business and operating with an alternative form of fuel, and therefore MGE requests that the shortest possible notice provisions be utilized in order to process this case quickly so that MGE can commence construction as soon as an order is received.

WHEREFORE, Applicant requests an order from the Commission granting it a certificate

of convenience and necessity to construct, install, own, operate, control, manage, and maintain a system for the provision of natural gas service to the public pursuant to its approved rates, rules and regulations, in Section 10, Township 25 North, Range 32 West in Newton County, Missouri.

Respectfully submitted,



Gary W. Duffy MBE #24905  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456  
(573) 635-7166  
(573) 635-3847 (facsimile)  
Email: [Duffy@Brydonlaw.com](mailto:Duffy@Brydonlaw.com)

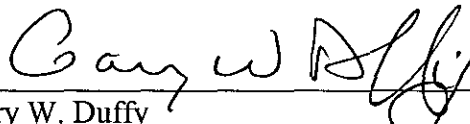
Attorneys for Missouri Gas Energy

#### Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served by hand delivery on the following counsel this 23 day of March, 2001.

Office of the General Counsel  
Missouri Public Service Commission  
Governor State Office Building  
Jefferson City, Missouri

Office of the Public Counsel  
Governor State Office Building  
Jefferson City, Missouri



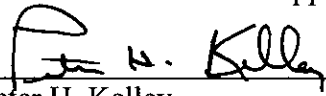
Gary W. Duffy

**VERIFICATION**


STATE OF TEXAS            )  
                                      ) ss  
COUNTY OF TRAVIS        )

On the 20<sup>th</sup> day of March, 2001, before me appeared Peter H. Kelley, to me personally known, who, being by me first duly sworn, states that he is the President of Southern Union Company and acknowledged that he had read the above and foregoing document and believes that the allegations therein are true and correct to the best of his information, knowledge and belief, and that the above designated attorneys are authorized to file said application on behalf of Southern Union Company.

Peter H. Kelley further states that the area sought in this certificate application is not located within the boundaries of any municipality, and therefore Southern Union Company has received the required consent of the proper municipal authorities involved in this application.

  
\_\_\_\_\_  
Peter H. Kelley

Subscribed and sworn to before me this 20<sup>th</sup> day of March, 2001.

  
\_\_\_\_\_  
Notary Public


My Commission expires: 1/27/2003



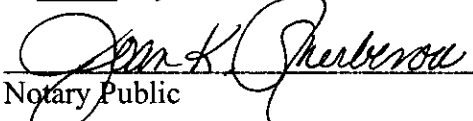
**VERIFICATION**

STATE OF TEXAS            )  
                                      ) ss  
COUNTY OF TRAVIS        )

On the 20<sup>th</sup> day of March, 2001, before me appeared Dennis K. Morgan, to me personally known, who, being by me first duly sworn, states that he is the Secretary of Southern Union Company and states that the area sought in this certificate application is not located within the boundaries of any municipality, and therefore Southern Union Company has received the required consent of the proper municipal authorities involved in this application.

  
\_\_\_\_\_  
Dennis K. Morgan

Subscribed and sworn to before me this 20<sup>th</sup> day of March, 2001.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 1/27/2003



No. F00383790

# STATE OF MISSOURI



Matt Blunt  
Secretary of State

## CORPORATION DIVISION

### CERTIFICATE OF CORPORATE GOOD STANDING - FOREIGN CORPORATION

I, MATT BLUNT, Secretary of State of the State of Missouri,  
do hereby certify that the records in my office  
and in my care and custody reveal that


SOUTHERN UNION COMPANY

using in Missouri the name

SOUTHERN UNION COMPANY

a DELAWARE corporation filed its Evidence of Incorporation  
with this State on the 26th day of JULY, 1993, and is in  
good standing, having fully complied with all requirements  
of this office.

IN TESTIMONY WHEREOF, I have set my  
hand and imprinted the GREAT SEAL of  
the State of Missouri, on this, the  
20th day of MARCH, 2001.

  
Secretary of State







# State of Missouri

Judith K. Moriarty, Secretary of State

No. X 258652

Corporation Division

## Registration of Fictitious Name

This information is for the use of the public and gives no protection to the name. There is no provision in this Chapter to keep another company or corporation from adopting and using the same name. (RSMo 417)

We, the undersigned, are doing business under the following name, and at the following address:

Name to be registered: MISSOURI GAS ENERGY  
Missouri Business Address (if not, other): 504 Lavaca, Suite 900  
City, State and Zip Code: Austin, Texas 78701

**FILED**

**AUG 05 1993**

*Judith K. Moriarty*  
SECRETARY OF STATE

The parties having an interest in the business, and the percentage they own are (if a corporation is owner, indicate corporation name and percentage owned). If all parties are jointly and severally liable, percentage of ownership need not be listed:

Name of Owners, Individual or Corporate	Street and Number	City	State	If listed, Percentage of ownership must equal 100%
<u>SOUTHERN UNION COMPANY</u>	<u>504 Lavaca, Suite 900</u>	<u>Austin</u>	<u>Texas</u>	<u>100</u> %
				%
				%
				%
				%
				%

Make check for \$2.00 payable to the State Director of Revenue.

TO BE FILED IN DUPLICATE (Must be typed or printed)

Return to: Secretary of State  
Corporation Division  
P.O. Box 778  
Jefferson City, Mo. 65102

The undersigned, being all the parties owning interest in the above company, being duly sworn, upon their oaths each did say that the statements and matters set forth herein are true.

Individual  
Owners  
Sign Here

X

X

X

X

X

X

The undersigned corporation has caused this application to be executed in its name by its President or Vice-President and its Secretary or Assistant Secretary, this 4th day of August, 19 93.

X 258652

If  
Corporation  
is  
Owner,  
Corporate  
Officers  
Execute  
Here

SOUTHERN UNION COMPANY, a Delaware corporation

(Exact Corporate Title)

By

E. M. Dubay

Its President or Vice-President

By

Kerry Walker

Its Secretary or Assistant Secretary

(Corporate Seal)

If no seal, state "none".

The Secretary of State's Office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Director of Publications, P.O. Box 778, Jefferson City, Mo. 65102; phone (314) 751-1814. Hearing-impaired citizens may contact the Director by phone through Missouri Relay (800-735-2966). The Corporations Division also maintains a Telecommunications Device for the Deaf (TDD) at (314) 526-5599.

State of TEXAS

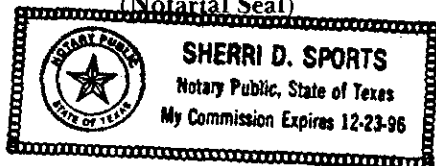
County of TRAVIS

SS

I, Sherri D. Sports, A Notary Public, do hereby certify that on the 4th day of August, 19 93, personally appeared before me Eugene A. Dubay, and being first duly sworn by me, acknowledged that \_\_\_\_\_ he signed as his own free act and deed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

(Notarial Seal)



Sherri D. Sports  
Notary Public

My commission expires

12-23-96

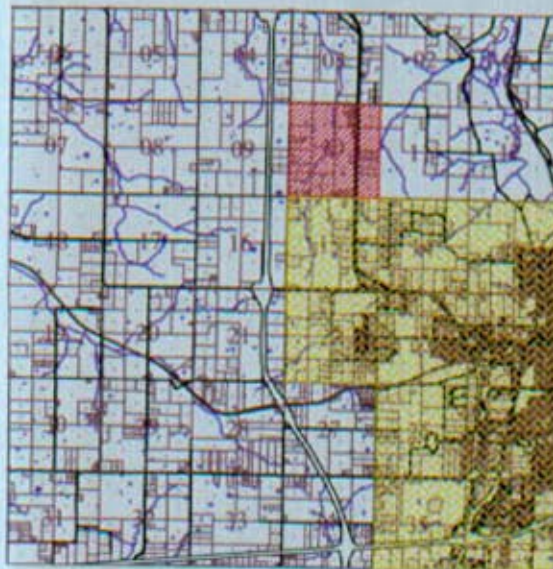


# Missouri Gas Energy Certification Request

MGE Proposed Territory  
MGE Existing Territory



Scale 1/2" = 1 Mile



Township Range Section  
Newton County 25n 32w 10

DRAWING NO.: *christian01.dwg*

1			
2			
3			



MISSOURI GAS ENERGY

ENGINEERING DEPARTMENT  
3420 BROADWAY  
KANSAS CITY, MO, 64111

REV.	DESCRIPTION	DATE	BY
DWN. BY:	DESIGNED BY:	WORK:	
<i>T. McGill</i>	<i>T. McGill</i>		
DATE:	SCALE:	HCN:	
<i>03/22/2001</i>	<i>1/2" = 5,280'</i>		

*Newton Counties  
Missouri Gas Energy  
Certification Request*

DISTRICT NO:

SHEET NO:

*1 OF 1*

**Appendix D**

**MISSOURI GAS ENERGY  
APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY  
Metes And Bounds**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS</u>
NEWTON COUNTY	T 25 n    R 32 w	SEC 10

**Appendix E**

**MISSOURI GAS ENERGY  
APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY  
Projection of Revenues and Expenses**

		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
<b><u>Revenue</u></b>	1]	<u>\$3,221</u>	<u>\$3,221</u>	<u>\$3,221</u>
<b><u>Expenses</u></b>				
Oper. & Maint.		407	407	407
Depreciation		424	424	424
Property Tax		405	397	389
Total		<u>\$1,236</u>	<u>\$1,228</u>	<u>\$1,220</u>

1] Rates as approved in GR-98-140.

# MISSOURI GAS ENERGY

Order Estimate

APPENDIX E

ProjectName **TO LAY 6000'-4" PLASTIC MAIN**

Location **TWIN OAKS CABINETS 11727 GATEWAY DR**

WO# **013217**

Div/Twn: **0806**

City **Neosho**

TaxCode: **066010**

Class: **33** Item: **380** BudgetCatagory: **350**

DateRouted: **1/16/01** Cust Need Date: **2/15/01**

Approval Stamp

JAN 17 2001

Budget Description **New Main Extension >200' - 3760**

Design Date **1/15/01**

Supervisor: **RAY WILSON**

MEA:

Engineer **D. COX**

Approved:

Reimbursable ☐

JobType: **Major**

Contributions

**\$27,519.53**

## Sales Tax

State:	\$0.00
City:	\$0.00
County:	\$0.00
Local:	\$0.00
<b>Total Materials:</b>	<b>\$16,492.77</b>
<b>Total Energy:</b>	
<b>Total Taxable Charges:</b>	

## Summary

<b>Subtotal:</b>	<b>\$31,867.17</b>
Labor Overheads@77.99%	\$1,002.80
Less 36.60% on O.T.	\$0.00
Stores Loading@ 26.64%	\$3,755.27
Lost Opportunity @ 0.00%	\$0.00
Lost Opportunity Overheads @ 0.00%	\$0.00
Total Taxes:	\$0.00
Construction Overheads@ 36.69%	\$13,437.80
<b>TOTAL:</b>	<b>\$50,063.04</b>
Contrib./Reinburs.Amt:	\$27,519.53
<b>NetToCompany:</b>	<b>\$22,543.61</b>

## Approvals:

Date	Signature	Date	Signature
1/15/01	<i>Ray Wilson</i>		
1/16/01	<i>Ray Wilson</i>		

**MISSOURI GAS ENERGY**

Work Order Estimate

WO# 013217

APPENDIX E

ProjectName: TO LAY 6000'-4" PLASTIC MAIN

Location: TWIN OAKS CABINETS 11727 GATEWAY DR

**DETAILS**

TrackNumber 0115011025

Type	Description	Rate/UnitPrice	Units/Hours		
Equip					
Pick-Up Truck		\$5.00	60		\$300.00
				Subtotal:	\$300.00
Labor				Rate	All O.T.
Contract Inspector		\$21.43	60	1	\$1,285.80
				Subtotal:	\$1,285.80
Labor-GDC					
Misc-InstallAnodeOrTestStationSameExcavation		\$15.00	3		\$45.00
New Install Plastic Pipe - 1001 lin. Ft. & Over 3" & 4"		\$2.69	6000		\$16,140.00
				Subtotal:	\$16,185.00
Mat					
PADDING DIRT LINEAL FR		\$1.00	6000		\$6,000.00
PIPE-PL 4 2406 ASTM D 2513 YELLOW		\$1.29	6000		\$7,740.00
FITTING-PURGE POINT FOR PLASTIC 2 IN		\$13.15	1		\$13.15
WIRE-SOLID COPPER #14 THWN YELLOW		\$0.04	6000		\$240.00
STATION CATHODIC TEST - 2 1/2 ID X 18 IN -2 TERM.		\$8.60	3		\$25.80
COUPLING-PLASTIC PE ELECTROFUSION, FUSAMATIC 4 IN.		\$28.35	1		\$28.35
REDUCER-PL 2406 BUTT FUSION 4 X 2		\$8.15	1		\$8.15
ANODE-ZINC PACKAGED 5 LB		\$14.88	2		\$29.76
ROD GROUND 5/8" x 8' COPPER		\$5.58	2		\$11.16
				Subtotal:	\$14,096.37

# MISSOURI GAS ENERGY

Work Order Estimate

WO# 013217

APPENDIX E

ProjectName: TO LAY 6000'-4" PLASTIC MAIN

Location: TWIN OAKS CABINETS 11727 GATEWAY DR

## PURPOSE AND NECESSITY

WO# 013217

This job is necessary to provide service to Twin Oaks Cabinet Shop in Neosho. Job will consist of 6000'-4" plastic main. An investment allowance was calculated on the space heat load of 2,588 cfm. No investment allowance was given for the paint line demand of 3,480 cfm. Customer will deposit \$27,519.53 prior to installation. Mop 40 psig, maop 42 psig, design pressure 66 psig.



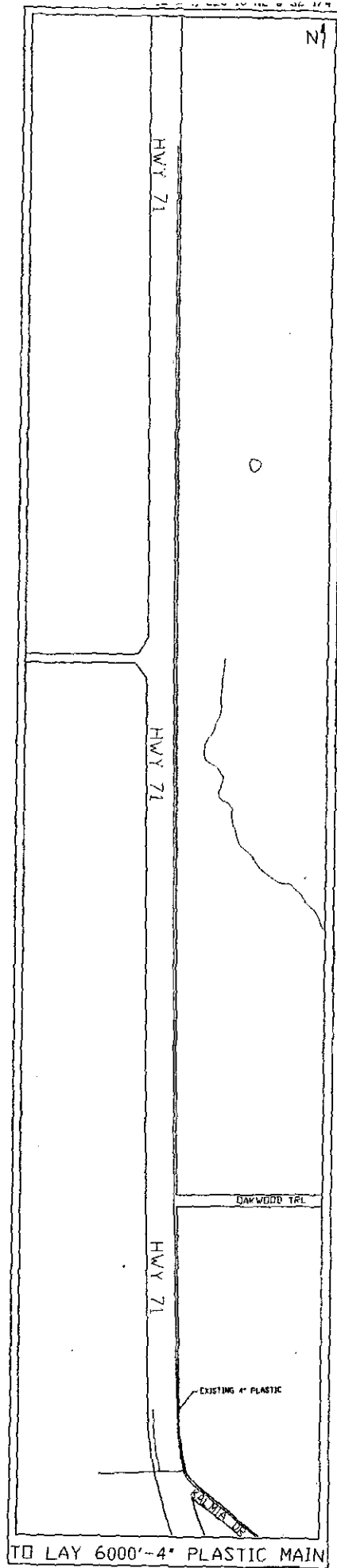
# Material Requisition

APPENDIX E

WorkOrderNo. **013217** JobType: **Major** Supervisor: **RAY WILSON**  
 ProjectName **TO LAY 6000'-4" PLASTIC MAIN**  
 Project Location **TWIN OAKS CABINETS 11727 GATEWAY DR**  
 Town **Neosho**  
 Project Type **New Main Extension >200' - 3760**  
 Engineer **D. COX** Approved Date:  EstStartDate **2/1/01**

MaterialCode	Description	Quantity
	PADDING DIRT LINEAL FR	6000
3103152	ANODE-ZINC PACKAGED 5 LB	2
3141824	COUPLING-PLASTIC PE ELECTROFUSION, FUSAMATIC 4 IN.	1
3157530	FITTING-PURGE POINT FOR PLASTIC 2 IN	1
3193059	PIPE-PL 4 2406 ASTM D 2513 YELLOW	6000
3209630	REDUCER-PL 2406 BUTT FUSION 4 X 2	1
3231200	ROD GROUND 5/8" x 8' COPPER	2
3251752	STATION CATHODIC TEST - 2 1/2 ID X 18 IN -2 TERM.	3
3284184	WIRE-SOLID COPPER #14 THWN YELLOW	6000

APPENDIX E



TO LAY 6000'-4" PLASTIC MAIN

**Appendix F**

**MISSOURI GAS ENERGY  
APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY  
Listing of Landowners**

Herb Reynolds  
12813 Jute Road  
Neosho, MO 64850

Tommy Lake  
11727 Gateway Drive  
Neosho, MO 64850

Lance Link  
11172 Gateway Drive  
Neosho, MO 64850

Truman Jeffcott  
12399 Gateway Drive  
Neosho, MO 64850

Tony Adams  
12333 Gateway Drive  
Neosho, MO 64850

Brad Valdois  
705 Mimosa Drive  
Neosho, MO 64850

Fred Jay  
12417 Gateway Drive  
Neosho, MO 64850

Andy Wilson  
12484 Juanita Lane  
Neosho, MO 64850

Mark's Scooters  
12651 Gateway Drive  
Neosho, MO 64850

Leroi Locke  
12513 Wildlife Road  
Neosho, MO 64850

Jerry Valdois  
13317 Oakwood Trail Road  
Neosho, MO 64850