

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

April 10, 2001

CASE NO: GA-2001-509

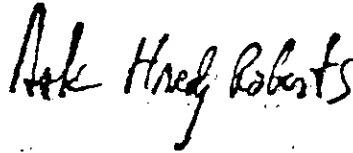
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Gary W. Duffy
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified copies:
To the County Commission of Newton County, Missouri

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Missouri)
Gas Energy, a Division of Southern Union)
Company, for a Certificate of Public Con-)
venience and Necessity Authorizing It to)
Construct, Install, Own, Operate, Control,) Case No. GA-2001-509
Manage, and Maintain a Natural Gas Distribu-)
tion 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.)

ORDER AND NOTICE OF APPLICATION

On March 23, 2001, Missouri Gas Energy (MGE), a division of Southern Union Company, filed an application with the Missouri Public Service Commission (Commission) pursuant to Section 393.170, RSMo 2000, and 4 CSR 240-2.060(1) and (4) 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.

The Commission finds it appropriate that notice of this application be made to the general public and interested parties, and that a date for intervention of proper parties be set.

The Records Department of the Commission shall provide notice of this application to the County Commission of Newton County. Notice of this application shall also be given by the Information Officer of

the Commission to the members of the General Assembly representing Newton County, and to all publications of general circulation in Newton County as set out in the *Official Manual of the State of Missouri*.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the applicant may submit its evidence in support of the application by verified statement. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d, 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Records Department of the Missouri Public Service Commission is directed to serve notice of this application to the County Commission of Newton County, Missouri.

2. That the Information Officer of the Missouri Public Service Commission is directed to serve notice of this application to the members of the General Assembly representing Newton County, and to all publications of general circulation in Newton County as set out in the *Official Manual of the State of Missouri*.

3. That any proper party wishing to intervene in this matter shall file an application to do so no later than April 24, 2001. Such application shall be filed with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send a copy to:

Gary W. Duffy
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

and

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

4. That this order shall become effective on April 20, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

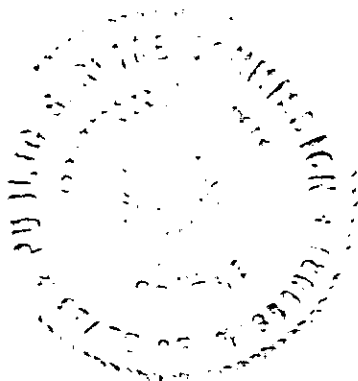
Dated at Jefferson City, Missouri,
on this 10th day of April, 2001.

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 10th day of April 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge