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July 30, 2001

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²

JUL 30 2001

Missouri Public
Service Commission

RE: Case No. GM-2001-585

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Lera L. Shemwell
Associate General Counsel
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LLS:sw
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
JUL 30 2001

Missouri Public
Service Commission

In the Matter of the Joint Application of)
Gateway Pipeline Company, Inc.,)
Missouri Gas Company and the)
Acquisition by Gateway Pipeline)
Company of the Outstanding Shares of)
Utilicorp Pipeline, Inc.)

Case No. GM-2001-585

MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves the Commission to extend the time in which to file Staff's Rebuttal Testimony in this case.

In support of its request Staff states:

1. While this case has been at the Commission since April, Staff's discovery was delayed because Gateway Pipeline Company, Inc. (Gateway), Missouri Gas Company (MGC), and Missouri Pipeline Company (MPC) (collectively "Applicants), sought a finding that the Commission lacked jurisdiction. The Commission properly determined that the Commission does have jurisdiction on May 24, 2001. It was at this time that discovery could begin in this case.

2. Additionally, Staff notes that it was completely forthcoming at the prehearing conference regarding Staff's concerns with the expedited procedural dates requested by the Applicants. Counsel for Staff stated: "We're not as driven as the companies are in terms of a date to get this done. We understand their concerns, but our concerns are different from theirs. And if we can't get the discovery that we need, that might pose some concerns in terms of the

timing. We don't know at this point. We'll certainly look at getting the schedule done today, but we'll have to see how the flow of information goes." Transcript at page 24, lines 10-17).

3. While Applicant's response to data requests has been prompt, Staff does not think that it has obtained the information that it needs to adequately analyze this sale. Specifically, Staff is concerned with how the Applicant's intend to improve the profitability of the systems without sacrificing safe operation of the systems or sacrificing customer service, and how Applicants intend to grow usage of the pipelines, or raise rates, or take other measures so that the operation of the pipelines is profitable when UtiliCorp has not been able to make the system profitable to date.

4. It is worth noting that Applicants in their Suggestions in Opposition to Staff's Request for Modification of Procedural Schedule, have not suggested to the Commission that delay of the procedural schedule for forty-five (45) days will result in termination of the purchase agreement, nor have they specifically alleged any other harm.

5. Any suggested need for expediency by the companies should not override the interest of consumers and the need for thorough examination of whether this transaction is detrimental to the public interest.

WHEREFORE the Staff requests that the Commission extend the time for filing of Staff's Rebuttal testimony for the requested 45 days to allow Staff time to complete its investigation and evaluation of the proposed sale.

Respectfully submitted,

DANA K. JOYCE
General Counsel

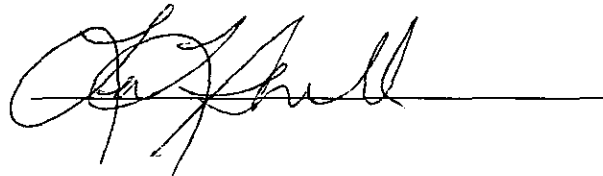


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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this July 30, 2001.



**Service List for
Case No. GM-2001-585
Revised: July 30, 2001 (SW)**

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