



Martha S. Hogerty

Public Counsel

State of Missouri

Bob Holden

Governor

Office of the Public Counsel
Governor Office Building
200 Madison, Suite 650
P.O. Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Web: <http://www.mo-opc.org>
Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

September 12, 2001

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

**Re: Gateway Pipeline Company
Case No. GM-2001-585**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and eight copies of **MOTION FOR EXTENSION OF TIME OFR FILING OF POST-HEARING BREIFS AND MOTION FOR EXPEDITED TREATMENT**. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

M. Ruth O'Neill
Assistant Public Counsel

MRO:jb

cc: Counsel of Record

FILED

SEP 12 2001

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

SEP 12 2001

Missouri Public
Service Commission

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

Case No GM-2001-585

**MOTION FOR EXTENSION OF TIME FOR FILING
OF POST-HEARING BRIEFS AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW, the Office of the Public Counsel, and respectfully moves this Commission to extend the time for filing post-hearing briefs in the above-captioned matter for a period of two (2) days. This motion is made for the reason that, although Public Counsel reluctantly agreed to go along with the proposed expedited briefing schedule at the time the procedural schedule was composed, several factors have combined to make it impracticable for Public Counsel to be able to complete a brief in this matter by the due date of Monday, September 17. Pursuant to 4 CSR 240-2.080(17), Public Counsel respectfully requests that this Commission grant this motion expedited treatment.

In support of this motion, Public Counsel states the following:

1. At the time of the filing of the procedural schedule, the parties anticipated that the evidentiary hearing in this case would last less than two days, and would be completed by September 6. In fact, the hearing lasted three full days, not ending until late on the afternoon of September 7.

2. As part of the agreement to expedite the briefing schedule, the parties agreed that the transcript would be available on Monday, September 10. In fact, Public Counsel received the transcript in this case on Wednesday, September 12.

3. The transcript in this case is 894 pages long. Each day's proceeding contains numerous pages of "in camera proceedings." Therefore, reviewing the transcript requires that counsel switch back and forth between two volumes of transcripts for each day of the hearing.


4. The length of the hearing, and length of the resulting transcript, and the delay in receipt of the transcript make it impossible for Public Counsel to submit a full and complete brief in this shortened time period.

5. Because the brief is due on September 17, it is not possible to allow the other parties a full 10 days to respond to this motion will result in a decision being reached on this motion after the due date for the brief has passed. There will be no negative effect on the rights of any party to this case because (1) there is no operation of law date, and (2) the parties' self-imposed deadline for the date by which this transaction—if approved—must be completed is June 30, 2002. While there has been some discussion of a desire by the parties to proceed on this matter prior to the winter heating season, this desire does not legally outweigh the right of the public for Public Counsel to effectively represent their interests. Therefore, Public Counsel respectfully requests that the Commission rule on this motion no later than Friday, September 15.

WHEREFORE, it is respectfully requested that the Commission grant expedited treatment of this motion, and issue an order extending the time for filing post-hearing briefs for a period of two (2) days, until September 19, 2001. It is further respectfully requested that the Commission rule on this Motion no later than Friday, September 15, 2001.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: 
M. Ruth O'Neill (#49456)
Assistant Public Counsel

P O Box 7800
Jefferson City, MO 65102
(573) 751-5565
(573) 751-5562 FAX

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been faxed and mailed or hand-delivered to the following this 12th day of September 2001:

Ms. Lera L. Shemwell
Missouri Public Service Commission
P O Box 360
Jefferson City, MO 65102

Mr. Michael Pendergast
Laclede Gas Company
720 Olive Street, Room 1520
St. Louis, MO 63101

Mr. Thomas M. Byrne/
Ronald K. Evans
Ameren Services Company
1901 Chouteau Avenue
P O Box 66149 (MC 1310)
St. Louis, MO 63166-6149

Mr. William D. Steinmeier/
Mary Ann (Garr) Young
William D. Steinmeier, P.C.
2031 Tower Drive
P O Box 104595
Jefferson City, MO 65110-4595

Mr. Paul A. Boudreau
Brydon, Swearngen & England, PC
P O Box 456
Jefferson City, MO 65102

Jeffrey A. Keevil
Stewart & Keevil, LLC
1001 Cherry St., Suite 302
Columbia, MO 65201

Mark W. Comley
Newman, Comley & Ruth, PC
601 Monroe, Suite 301
P O Box 537
Jefferson City, MO 65102

