

Bob Holden

Governor

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September 19, 2001

Mr. Dale H. Roberts Secretary/Chief Regulatory Law Judge Public Service Commission P. O. Box 360 Jefferson City, MO 65102 FILED
SEP 1 9 2001

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 **TABLE OF CONTENTS** of the Brief of the Office of Public Counsel. This Table of Contents was inadvertently omitted at the time of filing. 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

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ARG	UMENT
I.	The Commission should deny the Request of the Joint Applicants for Gateway to acquire all of the stock of UPL, and consequently, acquire ownership of the Missouri regulated intrastate pipelines, MPC and MGC, because approving this Application would be detrimental to the public interest
II.	There is a strong possibility that the Missouri Commission could lose jurisdiction over MPC and MGC as a result of this transaction, and if the Commission lost jurisdiction and conditions imposed on this transaction to mitigate the detriment to the public interest would be subject to challenge
III.	The condition that the Commission placed on UtiliCorp when it acquired these properties (MPC and MGC), that UtiliCorp would not connect the intrastate pipelines to the interstate Trans Mississippi Pipeline, should continue to apply to Gateway should if the Commission approves this transaction, unless the Commission waives the restriction after an application has been filed requesting that the restriction be removed
IV.	CONCLUSION 44

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been faxed and mailed or handdelivered to the following this 19th day of September 2001:

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