

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

**FILED<sup>2</sup>**

DEC 21 2001

TXU Energy Services, Inc., and  
Schreiber Foods, Inc. )

Complainants, )

v. )

Missouri Gas Energy, a Division of  
Southern Union Company, )

Respondent. )

Missouri Public  
Service Commission

Case No. GC-2001-593

**FIRST AMENDED  
ANSWER TO COMPLAINT**

COMES NOW Missouri Gas Energy, a division of Southern Union Company,  
and, in accordance with 4 CSR 240-2.080 (21) hereby amends its Answer to Complaint  
filed on June 7, 2001 in the following respects:

1. MGE incorporates by reference and re-alleges all of its original answer  
with the exception of paragraphs numbered 32, 33 and 34. MGE hereby amends  
paragraphs 32, 33, and 34 to read as follows:

32. On July 24, 2000, having not received a return call from anyone at  
Schreiber, Ms. Villanueva again called Schreiber to inquire about the lack of  
nominations. After talking to three different people at the Mount Vernon plant,  
Ms. Villanueva was transferred to a Mr. Ralph McClury. Mr. McClury  
represented himself to her as the Schreiber plant manager. Ms. Villanueva  
explained the lack of nomination situation to Mr. McClury and the penalties.

33. As a further courtesy, Ms. Villanueva contacted Williams after July

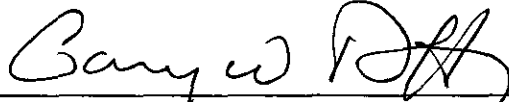
24, 2000, but before July 31, 2000, to see if a Schreiber nomination had been made. Ms. Villanueva spoke to Tammy Lytle of Williams about nominations for the Mount Vernon plant. Ms. Lytle at that time showed only one nomination for Schreiber was made. This nomination concerned a different account than the one at issue here. (Account numbers are not contained in this pleading due to privacy concerns.) Ms. Lytle reported no July nomination for the Mount Vernon plant account.

34. Evan Moore contacted the Transportation Department of MGE. Ms. Villanueva informed Evan Moore that MGE had not seen evidence of a Williams nomination for the one Schreiber account. Evan Moore told Ms. Villanueva that he believed he had made the nominations to Williams for Schreiber. Ms. Villanueva suggested that Evan Moore should verify with Williams that there were nominations for each of the two Schreiber accounts, because MGE's records did not reflect that.

WHEREFORE, having fully answered and set forth its affirmative defenses in fact and in law, MGE respectfully requests that the Commission issue its order:

- (a) Dismissing the Complaint of TXU Energy Services, Inc.'s and Schreiber Foods, Inc.; and,
- (b) Granting such further relief as the Commission deems appropriate.

Respectfully submitted,



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ATTORNEYS FOR  
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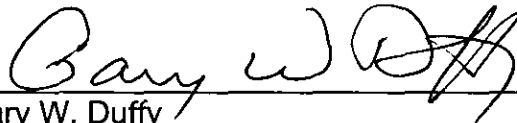
Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed by deposit with the United States Postal Service, first class postage prepaid, or hand delivered this 21st day of December, 2001, to:

Donald C. Otto, Jr.  
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Missouri Public Service Commission  
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Jefferson City, Missouri

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