

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 Convenience and Necessity Authorizing It to)
Construct, Install, Own, Operate, Control, Manage and) **Case No. GA-2007-0289**
Maintain a Natural Gas Distribution System to Provide)
Gas Service in Platte County, Missouri, as an Expansion)
of its Existing Certified Area)

ORDER DIRECTING NOTICE AND SETTING DATE FOR SUBMISSION OF INTERVENTION REQUESTS

Issue Date: February 2, 2007

Effective Date: February 2, 2007

On January 31, 2007, Missouri Gas Energy ("MGE"), a Division of Southern Union Company, filed an application with the Missouri Public Service Commission, pursuant to Section 393.170, RSMo 2000, requesting that the Commission grant it authority to "construct, install, own, operate, control, manage and maintain a system for the provision of natural gas service to the public pursuant to its approved rates, rules and regulations, in Sections 13 and 14 , Township 52 North, Range 35 West in Platte county, Missouri." MGE states that developers have requested it to provide natural gas service in this area for three new residential subdivisions and two commercial buildings.

In compliance with Commission Rule 4 CSR 240-3.205, MGE has provided a full legal description of the location for the proposed service area, a plat map, an estimate of the cost of construction and estimated annual margin to be received from the proposed customers in the development, and the names and addresses of the residents and property

owners of the proposed service area. MGE also asserts that there are no municipal, public utilities or other government entities operating or rendering service within its proposed service area, and that it will not require any franchises or permits other than the usual and customary state highway, railroad and county road permits, which will be acquired prior to construction. MGE further states that no gas transmission lines are required to be constructed as part of this expansion.

The Commission finds that notice of this application should be given to the general public and interested parties and a date for intervention of proper parties should be set. The Commission's Data Center shall mail a copy of this notice to the County Commission of Platte County, and to the Department of Natural Resources of the State of Missouri. In addition, the Commission's public information officer shall make notice of this order available to the media serving Platte County and to the members of the General Assembly representing Platte County.

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.¹

IT IS ORDERED THAT:

1. The Missouri Public Service Commission's Data Center is ordered to serve notice as described in the body of this order.

¹ *State ex rel. Deffenderfer v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo App. 1989).

2. The Missouri Public Service Commission's information officer is ordered to serve notice as described in the body of this order.

3. Any proper person wishing to intervene in this matter shall file an application no later than February 22, 2007. Such applications shall be filed with:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

with a copy served on:

Michael R. Norack
Director, Pricing & Regulatory Affairs
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111

and

Todd J. Jacobs
Attorney at Law
Missouri Gas Energy
3420 Broadway
Kansas City, Missouri 64111

and

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

4. This order shall become effective on February 2, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of February, 2007.