

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 6th day of  
November, 2007.

In the Matter of the Application of Missouri Gas Utility,        )  
Inc., for a Certificate of Convenience and Necessity            )  
Authorizing It to Construct, Install, Own, Operate, Control,    )  
Manage and Maintain a Natural Gas Distribution System        )  
to Provide Gas Service in Harrison County, Missouri, as a     )  
Further Expansion of Its Existing Service Area.                )

**Case No. GA-2008-0078**

**ORDER GRANTING CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY**

Issue Date: November 6, 2007

Effective Date: November 16, 2007

**Syllabus:**

This order grants Missouri Gas Utility, Inc., a certificate of convenience and necessity to provide natural gas service in a portion of Harrison County, Missouri.

**Procedural History:**

On September 11, 2007, MGU applied for a certificate of public convenience and necessity to construct, install, own, operate, control, manage, and maintain a natural gas distribution system in a portion of Harrison County, Missouri. MGU filed an Amended Appendix A to its application on October 16, 2007. MGU asked for a certificate to serve Sections 4, 9, and 10 in Township 64 North, Range 28 West in Harrison County. In addition, MGU will begin the line in an area where it already holds a certificate of convenience and necessity in Section 11, Township 64 North, Range 28 West. MGU asked to serve that area because Maschhoffs, Inc., has requested MGU to provide it

natural gas service. Appendix A, as amended, shows the route of the proposed service line.

On September 14, 2007, the Commission issued an order directing notice of the application. In that order, the Commission directed interested parties to ask to intervene no later than October 4, 2007. The Commission received no intervention requests.

On October 24, 2007, the Staff of the Commission filed its Recommendation, which was amended on October 25, 2007. Staff believes that granting the application would be in the public interest because: 1) MGU is willing and able to serve the new customer under current tariff provisions; 2) MGU's service to the new customer would not negatively impact MGU's other customers; 3) no intervenors objected; and 4) no new franchises are required. Staff recommends that the Commission grant the application.

**Findings of Fact:**

The Commission has reviewed the verified pleadings, which are admitted into evidence, and from those pleadings finds as follows:

MGU is a Colorado corporation in good standing, and has a certificate to do business in Missouri. MGU is a "gas corporation" and provides natural gas service in the Missouri counties of Harrison, Daviess and Caldwell.

MGU's new proposed service area is Sections 4, 9, and 10, Township 64 North, Range 28 West in Harrison County. To serve the new customer, MGU will apply the same rates and regulations as it applies to customers under its current tariff. Other than state highway, railroad, and county road authorities rights-of-way, no franchise or permit from municipalities, counties, or other authorities in connection with the proposed construction is required to serve this customer.

No Commission-regulated gas company supplies natural gas to these sections. MGU will need to extend its lines approximately 2.4 miles to serve the new customer.

The Commission shall grant MGU the certificate. The proposed service is in the public interest. The Commission will order MGU to file revised tariff sheets describing the new service area.

**Conclusions of Law:**

MGU is a “gas corporation” and a “public utility” as defined in subsections 386.020(18) and (42), RSMo Cum. Supp. 2006. It is subject to the Commission’s jurisdiction under Chapters 386 and 393, RSMo 2000.

A gas corporation may not exercise any right under a franchise unless the Commission gives it a certificate. Also, the Commission may impose such conditions on the certificate as it deems reasonable and necessary.<sup>1</sup>

The Commission concludes that the proposed service area is both necessary and convenient for the public service. Furthermore, the Commission will authorize MGU to construct, install, own, operate, control, manage, and maintain a natural gas distribution system as described in its application. The Commission also concludes that it is reasonable and necessary for MGU to file revised tariff sheets that reflect this new service.

**IT IS ORDERED THAT:**

1. Missouri Gas Utility, Inc., is granted a certificate of public convenience and necessity to construct, install, own, operate, control, manage, and maintain a natural gas distribution system in Sections 4, 9, and 10 in Township 64 North, Range 28 West in Harrison County, Missouri.

---

<sup>1</sup> Subsection 393.170.3, RSMo 2000.

2. The certificate of convenience and necessity referenced in ordered paragraph 1 shall become effective on November 16, 2007.

3. Missouri Gas Utility, Inc., shall file with the Commission tariff sheets describing the new service area no later than November 26, 2007.

4. Missouri Gas Utility, Inc., shall not serve the new service area granted in this order before the tariff sheets described in paragraph 3 become effective.

5. Nothing in this order shall be considered a finding by the Commission of the reasonableness or prudence of the expenditures herein involved, nor of the value for ratemaking purposes of the properties herein involved, nor as an acquiescence in the value placed on said property.

6. The Commission reserves the right to consider the ratemaking treatment to be afforded the properties herein involved, and the resulting cost of capital, in any later proceeding.

7. This order shall become effective on November 16, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Clayton,  
Appling, and Jarrett, CC., Concur.

Dippell, Deputy Chief Regulatory Law Judge