

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

In the matter of Ronald Kitchen,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2006-0066
)	
Missouri Gas Energy,)	
)	
Respondent.)	

STAFF MEMORANDUM

COMES NOW the Staff and in Response to the Commission's September 12, 2005 Order Directing Filing of Staff Investigation, submits its Memorandum and recommendation in this case. In response to the Commission's Order Staff states:

1. On August 8, 2005, Mr. Ronald Kitchen (Complainant) filed a formal complaint against Missouri Gas Energy, a division of Southern Union Company (MGE or Company) of Kansas City, Missouri.
2. On September 7, 2005, MGE filed its Verified Answer and Motion to Dismiss in which the Company requested that the Commission dismiss the Complaint.
3. On September 12, 2005, the Commission issued its "Order Directing Filing of Staff Investigation and Report and Order Directing Complainant to Respond to Motion to Dismiss." That Order required Staff to file a report of its findings no later than October 12, 2005. This Memorandum is in response to the Commission's Order.
4. In accord with Commission Rule 4 CSR 240-2.070(10), Staff is filing its Memorandum, Attachment A, as Highly Confidential.

WHEREFORE Staff requests that the Commission accept its Memorandum in satisfaction of the Commission's September 12 Order Directing Filing of staff Investigation and grant the relief that Staff recommends as a result of its investigation.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Lera L. Shemwell

Lera L. Shemwell
Senior Counsel
Missouri Bar No. 43792

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7431 (Telephone)
(573) 751-9285 (Fax)
E-mail: lera.shemwell@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 7th day of October, 2005.

/s/ Lera L. Shemwell