

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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 Distribution System to Provide Gas Service in ) **File No. GA-2010-0012**  
Benton, Morgan, Camden and Miller Counties in Missouri, )  
as a New Certificated Area. )

## CORRECTED NOTICE OF APPLICATION, AND ORDER DIRECTING STAFF TO FILE RECOMMENDATION AND SETTING DEADLINE FOR INTERVENTION

Issue Date: July 13, 2009

Effective Date: July 13, 2009

The Commission is directing its staff to file a recommendation on the application of Missouri Gas Utility, Inc., ("MGU") described in the title of this action ("application"), setting a deadline for motions to intervene, and giving notice of the application.

MGU filed the application on July 9, 2009. The application seeks the Commission's permission and approval to construct gas facilities and provide gas service. Legal descriptions ("proposed service area") locating such proposed construction and service appear in the application's paragraph 8 and appendix A, and the names of ten persons residing or owning land in the proposed service area appears in paragraph 13.

The statutory requirement of a "due hearing"<sup>1</sup> allows the Commission to grant an unopposed application without conducting a hearing.<sup>2</sup>

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<sup>1</sup> Section 393.170, RSMo 2000.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall serve this notice and order on the:
  - a. Benton County Commission,
  - b. Camden County Commission,
  - c. Miller County Commission,
  - d. Morgan County Commission, and
  - e. Persons listed in paragraph 13 of the application.
2. The Commission's information officer shall make this notice and order available to the:
  - a. members of the Missouri General Assembly whose districts include the proposed service area described in the body of this order, and
  - b. media serving the proposed service area.
3. Any motion for intervention is due no later than August 13, 2009. Any person filing such a motion shall send the motion to:

Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

or use the Commission's electronic filing and information service.
4. Staff shall file its recommendation as to the application of Missouri Gas Utility, Inc., that is the subject of this action no later than October 13, 2009.

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<sup>2</sup> *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

5. This order shall become effective immediately upon issuance.

( S E A L )

**BY THE COMMISSION**

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

Colleen M. Dale  
Secretary

Daniel Jordan, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 13<sup>th</sup> day of July 2009.