

**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 Natural Gas )  
Transmission Line and a Distribution System to )  
Provide Gas Service in Pettis and Benton Counties, )  
Missouri, as a New Certificated Area. )

**Case No. GA-2009-0264**

**ORDER DIRECTING NOTICE AND SETTING DATE FOR SUBMISSION  
OF INTERVENTION REQUESTS**

Issue Date: January 21, 2009

Effective Date: January 21, 2009

On January 14, 2009, Missouri Gas Utility, Inc. (MGU), filed an application with the Missouri Public Service Commission requesting that the Commission grant MGU authority to provide natural gas sales and transportation service to customers in the cities of Green Ridge, Cole Camp, Lincoln, and Warsaw, Missouri, and various unincorporated areas located in Pettis County and Benton County. In addition, MGU requests that the Commission grant it a "line" certificate from the tap on the Southern Star Central Pipeline in Section 35, Township 46 North, Range 23 West, to its requested general service area. Attached to its application as Appendix A is a map of the proposed service area. According to MGU's application, natural gas service is not presently available to residents in the proposed certificated area with the exception of the area for which it requests a line certificate only.

The Commission finds that notice of MGU's application should be given to the general public and potential interested parties and that 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 commissions of Pettis and Benton Counties. The Data Center shall also send a copy of this notice to the landowners listed in Appendix C of the application, as well as to Southern Star Pipeline, and to The Empire District Electric Company. In addition, the Commission's public information officer shall make notice of this order available to the media serving Pettis and Benton Counties and to the members of the General Assembly representing Pettis and Benton Counties.

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 Staff of the Commission nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and decide the case on the basis of the verified application and Staff recommendation.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall mail a copy of this notice to the county commissions of Pettis and Benton Counties, the landowners listed in Appendix C of the application, Southern Star Pipeline, and to The Empire District Electric Company.
2. The Missouri Public Service Commission's public information officer shall make notice of this order available to the media serving Pettis and Benton Counties and to the members of the General Assembly representing Pettis and Benton Counties.
3. Any person wishing to intervene in this matter shall file an application to do so no later than February 9, 2009. Such applications shall be filed with:

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

with a copy served on:

Dean L. Cooper  
Brydon, Swearingen & England P.C.  
312 East Capitol Avenue  
Post Office Box 456  
Jefferson City, Missouri 65102-0456  
ATTORNEY FOR MISSOURI GAS UTILITY, INC.

and:

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

4. This order is effective upon issuance.

**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 )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21st day of January, 2009.