

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 25th day of  
April, 2006.

The Staff of the Missouri Public  
Service Commission,

Complainant,

v.

Missouri Pipeline Company, LLC; Missouri Gas  
Company, LLC; Omega Pipeline Company, LLC;  
Mogas Energy, LLC; United Pipeline Systems, Inc.;  
and Gateway Pipeline Company, LLC.,

Respondents.

**Case No. GC-2006-0378**

**ORDER DENYING REQUEST FOR MEDIATION**

Issue Date: April 25, 2006

Effective Date: April 25, 2006

The Commission's Staff filed an over-earnings complaint on March 31, 2006, against Missouri Pipeline Company, LLC; Missouri Gas Company, LLC; Omega Pipeline Company, LLC; Mogas Energy, LLC; United Pipeline Systems, Inc.; and Gateway Pipeline Company, LLC. On April 14, Missouri Pipeline Company, Missouri Gas Company, Mogas Energy, United Pipeline Systems, and Gateway Pipeline Company filed a request for mediation. The other respondent, Omega Pipeline Company, did not initially join in the request for mediation, but on April 19, filed a pleading indicating that it concurred that mediation would be appropriate.

The Respondents indicate that they are willing to engage in mediation with Staff to resolve their disputes. They indicate that mediation at this early stage of litigation could save substantial time and resources. They also request that all other activity in the case, including formal discovery, be stayed while the mediation proceeds.

Staff filed a response to the request for mediation on April 18. Staff indicates that it is anxious to proceed with formal discovery efforts and is not interested in mediation at this time. Staff indicates that it might be willing to engage in mediation later in the case, after it has completed its investigation. The Respondents replied to Staff's response on April 20, reiterating their arguments for mediation.

Given Staff's opposition, the proposed mediation is not likely to succeed at this stage of the litigation. Furthermore, with several requests to intervene having been received, this litigation has already moved beyond a simple dispute between Staff and the Respondents. Any mediation that might be undertaken later in the process will also need to include the intervening parties. In sum, the Commission is not willing to order mediation at this time.

The answers of the Respondents are currently due on May 4. In recognition of the time required for consideration of the request for mediation, the deadline for the filing of answers will be extended to May 11.

**IT IS ORDERED THAT:**

1. The request for mediation is denied.
2. The due date for the filing of answers to Staff's complaint is extended from May 4, 2006, to May 11, 2006.

3. This order shall become effective on April 25, 2006.

**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 )

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur

Woodruff, Deputy Chief Regulatory Law Judge