## OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service Commission,	) )
Complainant,	)
v.	) <u>Case No. GC-2006-0378</u>
Missouri Pipeline Company, LLC; Missouri Gas Company, LLC; Mogas Energy, LLC; United Pipeline Systems, Inc.; and Gateway Pipeline Company, LLC.	) ) ) )
Respondents.	)

## **ORDER DIRECTING RESPONSE**

Issue Date: October 5, 2006 Effective Date: October 5, 2006

On September 26, 2006, the Commission's Staff filed a motion asking the Commission to find that David J. Ries, President of Missouri Pipeline Company and Missouri Gas Company, has failed to comply with a subpoena issued by the Commission. Staff asks that it be directed to proceed under Section 386.460, RSMo, to enforce the subpoena in circuit court. The response filed by Missouri Pipeline and Missouri Gas on October 4 indicates that they have agreed with Staff that Mr. Ries may be deposed on October 17, in compliance with the subpoena.

Before considering Staff's motion to compel, the Commission would like its Staff to indicate whether it has reached an agreement to take the deposition of Mr. Ries, and

whether that agreement eliminates the need for the Commission to make a ruling on Staff's motion to compel.

## IT IS ORDERED THAT:

- 1. No later than October 10, 2006, Staff shall file a pleading indicating whether it has reached an agreement to take the deposition of David J. Ries, and whether the Commission needs to rule on Staff's Motion for Order Determining Respondents Have Failed to Comply with Commission Subpoena and Order Directing Staff to File in Circuit Court to Enforce Subpoena.
  - 2. This order shall become effective on October 5, 2006.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

Morris L. Woodruff, Deputy Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 5th day of October, 2006.