

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

The Staff of the Missouri Public Service Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. GC-2014-0216</u></b>
	)	
Laclede Gas Company, d/b/a Missouri Gas Energy	)	
	)	
And	)	
	)	
Southern Union Company, formerly d/b/a Missouri Gas Energy	)	
	)	
Respondents.	)	

**ORDER EXTENDING TIME TO ANSWER**

Issue Date: March 7, 2014

Effective Date March 7, 2014

On February 6, 2014, the Staff of the Commission filed a complaint with the Missouri Public Service Commission against Laclede Gas Company, d/b/a Missouri Gas Energy and Southern Union Company, formerly d/b/a Missouri Gas Energy. On February 7, consistent with Commission Rule 4 CSR 240-2.070, the Commission ordered Laclede and Southern Union to file their answer to Staff’s complaint no later than March 10.

On March 6, Southern Union (n/k/a as Panhandle Eastern Pipe Line Company, LP) filed a motion seeking an extension of time to file its answer. Laclede filed a similar motion on March 7. Both Panhandle and Laclede explain that they intend to file motions to dismiss Staff’s complaint on or before March 10, when their answers would be due. They ask that they be allowed to delay filing their answers until ten days after the Commission issues a ruling on those motions.

Commission Rule 4 CSR 240-2.070(8) directs the respondent to a complaint to file an answer within thirty days after the issuance of notice of the complaint. In that regard, the Commission's rule is similar to Rule 55.25(a) of the Missouri Rules of Civil Procedure, which requires a defendant to file an answer within thirty days. However, the Commission's procedural rule does not have a provision analogous to Rule 55.25(c), which provides that the requirement to file an answer is delayed until ten days after the court denies a motion such as those Laclede and Panhandle intend to file. Essentially, Laclede and Panhandle ask the Commission to treat their motions to dismiss in the same way such motions would be treated in civil court by recognizing that their answers need not be filed until the Commission has disposed of those motions.

The Commission agrees that administrative economy will be served if Laclede and Panhandle are not required to file their answers until after the Commission has ruled upon their motions to dismiss. That rationale applies in civil court and it is equally applicable in proceedings before the Commission. The Commission will grant the motions.

**THE COMMISSION ORDERS THAT:**

1. The time allowed for Laclede Gas Company, d/b/a Missouri Gas Energy to file its answer is modified to allow the respondent until March 10, 2014 to file either an answer or a motion to dismiss. If the respondent files a motion to dismiss, its answer to the complaint need not be filed until ten days after the Commission denies that motion. If the Commission grants the motion to dismiss then no such answer need be filed.

2. The time allowed for Southern Union Company (k/n/a Panhandle Eastern Pipe Line Company, LP, formerly d/b/a Missouri Gas Energy to file its answer is modified to allow the respondent until March 10, 2014 to file either an answer or a motion to dismiss. If the respondent files a motion to dismiss, its answer to the complaint need not

be filed until ten days after the Commission denies that motion. If the Commission grants the motion to dismiss then no such answer need be filed.

3. This order shall become effective upon issuance.

**BY THE COMMISSION**



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Dated at Jefferson City, Missouri,  
on this 7<sup>th</sup> day of March, 2014.

Woodruff, Chief Regulatory Law Judge