

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Michael E. McKinzy, Sr.)	
)	
Complainant,)	
)	
v.)	Case No. GC-2003-0579
)	
Missouri Gas Energy,)	
)	
Respondent.)	

DISSENTING OPINION OF COMMISSIONER CONNIE MURRAY

I dissent from today's Report and Order because I do not find the Complainant's testimony credible.

Furthermore, I find that MGE properly relied on Section 3.02 of its tariff to deny service to Complainant in April 2003. I also find that MGE properly charged a connection fee of \$20.00 in September 2003, and unnecessarily reduced that fee to \$5.00.

Perhaps most significantly, I find that Section 3.02 of MGE's tariff does allow the company to transfer the past-due debt of Complainant's wife to the account at 8004 Overton Street.

Unlike the majority, I find that the tariff provision would operate in the same manner even if the individual with a prior indebtedness became a member of the household after service commenced. The majority's interpretation of the

tariff provision would encourage household members with prior utility indebtedness to take up residency only after commencement of service, thereby effectively nullifying the lawfully-approved tariff provision.

Respectfully submitted,


Connie Murray, Commissioner

Dated at Jefferson City, Missouri,
on this 5th day of August, 2004.