

At a session of the Public Service Commission held at its office in Jefferson City on the 5th day of September, 2006.

Respondents.

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Staff filed its proposed procedural schedule on August 14. On the same day, Missouri Pipeline and Missouri Gas filed a motion asking the Commission to reconsider its August 8 order denying the motion to consolidate or dismiss Staff's complaint. In the

alternative, Missouri Pipeline and Missouri Gas proposed a procedural schedule leading to a hearing on January 2-5, 2007. In response, on August 22, Staff offered what it called a compromise schedule that would lead to a hearing on December 13 and 14, 2006. On August 28, Missouri Pipeline and Missouri Gas rejected Staff's proposed compromise and reiterated their request that the Commission reconsider its order denying consolidation or, alternatively, establish the procedural schedule that they proposed.

The Commission already considered and rejected the arguments put forward by Missouri Pipeline and Missouri Gas for consolidating or dismissing Staff's complaint in its August 8 order. The Commission will not reconsider that order. That means that a procedural schedule for the consideration of Staff's complaint must be established.

In its August 8 order, the Commission indicated that the hearing concerning Staff's complaint would take place on October 30 through November 3. At the time, that week was the only time available on the Commission's hearing calendar for the next several months. Subsequently, additional hearing dates opened up in December, including the dates proposed by Staff in its second filing. The dates proposed by Staff are only two weeks earlier than those proposed by Missouri Pipeline and Missouri Gas. Furthermore, the dates proposed by Missouri Pipeline and Missouri Gas are not currently available on the Commission's calendar. Therefore, the Commission will adopt, with slight modifications, the procedural schedule proposed by Staff.

The Commission will apply the following conditions to the procedural schedule:

(A) The Commission will require that testimony be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(D) All pleadings and briefs shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(E) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

IT IS ORDERED THAT:

1. The Motion to Reconsider filed by Missouri Pipeline Company, LLC, and Missouri Gas Company, LLC, is denied.

2. The following procedural schedule is established:

Staff files Direct Testimony and Schedules	-	September 6, 2006
Missouri Pipeline, Missouri Gas, and Intervenor file Rebuttal Testimony and Schedules	-	October 6, 2006
Prehearing Conference	-	October 12-13, 2006, beginning at 10:00 a.m.

All Parties file Surrebuttal Testimony and Schedules	- November 17, 2006
Staff files List of Issues and Order of Cross	- November 21, 2006
Parties Submit Statements of Position	- November 30, 2006
Hearing	- December 13-15, 2006, beginning at 8:30 a.m.

3. The prehearing conference will be held at the Commission's office at the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this conference, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

4. The hearing will be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

5. This order shall become effective on September 5, 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