BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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JOINT RESPONSE TO COMMISSION ORDER TO FILE CONFLICT DATES AND MOTION TO MODIFY TESTIMONY FILING DATES

COMES NOW the Staff of the Missouri Public Service Commission (Staff) on behalf of Superior Bowen Asphalt Company, LLC, Missouri Gas Energy, a division of Southern Union Company, and Office of Public Counsel (collectively the "Parties") in response to the Commission's June 23, 2011 *Order To File Conflict Dates* (Order) and states the following:

- 1. The Commission's Order directed that each party shall file conflict dates for a second pre-hearing conference and for re-scheduling the evidentiary hearing and that "such dates shall be from August 29, 2011, through September 30, 2011."
- 2. For the purpose of administrative efficiency and because of the difficulty in coordinating availability dates of witnesses and attorneys, the Parties have agreed to set the 2nd pre-hearing conference on September 16, 2011, and to set the evidentiary hearing dates to September 28-29, 2011, or alternatively September 27-28.

3. In furtherance thereof, the Parties respectfully request the Commission modify the filing dates of rebuttal testimony to August 2, 2011, and surrebuttal testimony to September 9, 2011.

WHEREFORE, on behalf of the Parties the Staff prays the Commission accept this joint response to the Commission's Order, approve its joint motion to modify the filing dates for rebuttal and surrebuttal testimony, and to set the evidentiary hearing dates to September 28-29, 2011, or alternatively September 27-28.

Respectfully submitted,

/s/ Robert S. Berlin_

Robert S. Berlin Senior Counsel Missouri Bar No. 51709

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 30^{th} day of June 2011.

/s/ Robert S. Berlin_