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December 16, 2005

Ms. Colleen Dale  
Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri  
65201

**FILED**<sup>2</sup>

DEC 19 2005

Missouri Public  
Service Commission

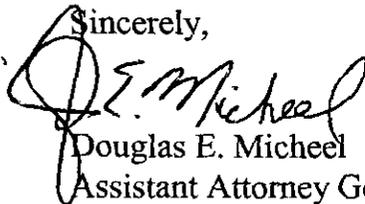
**Re: Case No. GX-2006-0181**

Dear Ms. Dale:

Enclosed for filing in the above-referenced case please find the original and eight copies of **State of Missouri's Response to Commission Order Directing Filing**. Please file stamp the extra copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

  
Douglas E. Micheel  
Assistant Attorney General

FILED<sup>2</sup>

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI  
OF 9 2005

Missouri Public  
Service Commission

In the Matter of the Proposed Emergency Amendment )  
to Commission Rule 4 CSR 240-13.055. )

Case No. GX-2006-0181

**State of Missouri's Response to Commission Order Directing Filing**

COMES NOW the State of Missouri by and through Attorney General Jeremiah W. (Jay) Nixon and states as follows:

1. On December 13, 2005, the Commission issued an Order Directing Filing directing interested persons to file by December 16, 2005" responses in support of or against suggestions two, three and four set out in Ms. Hutchinson's Comment Letter of December 12, 2005, together with such reasoning and underlying documentation as can be gathered in the allotted time."

2. The items set-out in Ms. Hutchinson's Comment Letter are as follows:

- Extend payment arrangements on arrears for at least 2 years to allow families to have more realistic CWR payment amounts.
- To allow all low-income customers who make monthly payments of at least \$60 per month to maintain their service through March 31<sup>st</sup>.
- Waive late pay and reconnect charges for all low-income families during the CWR period November 1 through March 31.

3. The State of Missouri is supportive of reasonable provisions that attempt to ensure that consumers natural gas bills are affordable and Missouri's neediest families have access to heat during the winter season.

4. The State supports Ms. Hutchinson's first recommendation that arrearage payments be extended for a two year period.

5. The State also supports Ms. Hutchinson's second recommendation that low-income customers who make monthly payments of \$60 per month be allowed to maintain service through March 31. Although, the proposal is unclear as to how Ms. Hutchinson defines "low-income customers" that would be eligible to avail themselves to such a proposal we believe the Commission could appropriately define this term.

6. Ms. Hutchinson's third recommendation is that regulated gas utilities waive late pay and reconnect charges for all low-income families during the CWR period November 1 through March 31. It is the State of Missouri's understanding that Missouri's natural gas local distribution companies that are members of the Missouri Energy Development Association ("MEDA") have agreed to waive all reconnection fees for customers who heat their homes with natural gas or primarily electricity provided that those customers are qualified and have applied for or are actually receiving benefits through the Low Income Home Energy Assistance Program (LIHEAP) during this winter heating season (November 1, 2005-March 31, 2005). See: MEDA Letter dated October 18, 2005 to Chairman Davis Ex. 7 in this docket. The State believes it is appropriate to apply this to all regulated gas utilities in the State not merely the MEDA member utilities.

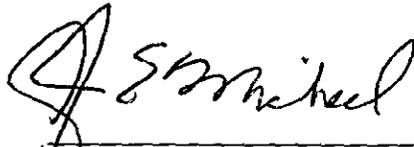
7. With respect to the waiver of late pay fees it is the State of Missouri's understanding that the waiver of late payment charges provided for in the emergency rule approved by the Commission in section (C) a. of the rule is a blanket waiver of the preexisting late fees and that such an interpretation is consistent with the intend of Public Counsel when they proposed the amendments to the Cold Weather Rule. However, the

Commission may want to specifically clarify that such an interpretation is consistent with the Commission's intent in approving the emergency amendments to the Cold Weather Rule.

WHEREFORE, the State of Missouri requests that the Commission accept its response to the Order Directing Filing.

Respectfully Submitted,

JEREMIAH W. (JAY) NIXON  
Attorney General



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Attorneys for State of Missouri

## Certificate of Service

I hereby certify that a true and correct copy of the above document was mailed on this 16<sup>th</sup> day of December to the following:

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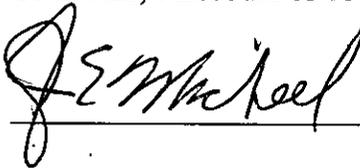
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