

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

**In the Matter of Missouri Gas Energy, a Division of        )  
Southern Union Company, Concerning a Natural        )  
Gas Incident at 910 West 48<sup>th</sup> Street in Kansas City,        )  
Missouri.    )**

**File No. GS-2013-0400**

**HEARTLAND'S RESPONSE TO MGE'S OPPOSITION TO  
HEARTLAND'S APPLICATION FOR REHEARING**

COMES NOW Heartland Midwest, LLC ("Heartland"), by and through undersigned counsel, and hereby submits its Response to MGE's Opposition to Heartland's Application for Rehearing. In support thereof, Heartland states as follows:

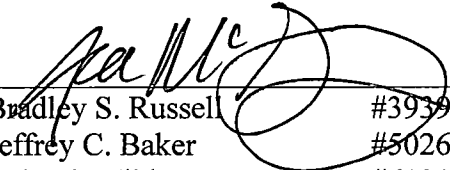
1. Heartland has requested that the Commission rehear Heartland's Motion to Authorize Staff Members to be deposed about the information that led to the Staff's February 6, 2014 *Gas Incident Report* ("*Report*").
2. Throughout the course of their investigation that led to the *Report*, the Staff interviewed several individuals and reviewed many documents that were not related to MGE, including, but not limited to, information from the fire department and businesses located near the explosion.
3. The purpose of requesting authorization for the Staff to disclose information that led to the *Report* is to ensure that all information relevant to the issues presented in the civil litigation has been identified during the discovery process.
4. Despite MGE's unsupported assertions otherwise, the information sought by Heartland is not broad, does not require the liberal examination of Staff members, and does not concern the Staff's ongoing relationship with MGE.
5. There is simply no basis to assume that an order from the Commission

authorizing the Staff to discuss information that led to the *Report* will necessarily entail the disclosure of any information either produced by MGE or reviewed by the Staff subsequent to the *Report*.

6. The Staff are willing, as evidenced by their Memorandum in Support of Heartland's Motion to Authorize, and capable of following an order from the Commission authorizing them to discuss only the limited information that led to the *Report*.
7. The public's right to know that the judiciary is presented with a full and accurate account of the events that spawned lengthy and expensive litigation is not incongruous with the Protective Order ensuring that information deemed confidential, as this information can be, is not subject to wide public disclosure.
8. RSMo 386.480 permits these types of disclosures; it envisions scenarios when the Staff must be permitted to make disclosures due to an overriding concern.
9. Ensuring that the court is presented with a full and accurate account of the events that led to the February 19, 2013 explosion, and that the parties have identified all relevant witnesses and information, are concerns worth authorizing the Staff to disclose the limited, but likely relevant and material information requested by Heartland.

WHEREFORE, Heartland requests that the Missouri Public Service Commission grant Heartland's Application for Rehearing, and for other such relief as the Commission deems proper.

Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of December, 2014, the foregoing was filed electronically with the Missouri Public Service Commission Electronic Filing and Information System (EFIS). Additionally, true and correct copies have been sent via US Mail to the following:

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