

Superior Bowen Asphalt Company,  
LLC,  
  
Complainant,  
  
v.  
  
Southern Union Company, d/b/a  
Missouri Gas Energy,  
  
Respondent.

Southern Union Company, d/b/a )  
Missouri Gas Energy, )  
 )  
Respondent. )

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through Staff Counsel, and for its Report, states:

1. In its *Second Order Extending Time To File Report And Responses*, the Commission directed the Staff to file a report on the allegations in the complaint no later than February 25, 2011 and set March 9, 2011 as the date any responses are due.

2. The Commission's Utility Operations' Gas Safety/Engineering Staff has completed its review of all case filings, data request responses, and additional information submitted by Missouri Gas Energy (MGE). Staff's Report is attached hereto as Appendix A and incorporated herein for all purposes.

3. Staff's Report recommends the parties schedule a conference to occur on a date in March acceptable to the parties for the purpose of discussing this matter and the possibility of working toward resolution. Following the conference, the parties may propose a procedural schedule if needed. To this end, the Staff suggests the Commission, upon the filing of party

responses to Staff's Report, issue an order directing the parties to hold a conference off-the-record and to file a status report of their progress.

**WHEREFORE**, the Staff prays the Commission accept its Report.

Respectfully submitted,

/s/ **Robert S. Berlin**

Robert S. Berlin

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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 25th day of February 2011.

/s/ **Robert S. Berlin**