

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
November, 2014.

In the Matter of Missouri Gas Energy, a Division of)	
Southern Union Company, Concerning a Natural)	<u>File No. GS-2013-0400</u>
Gas Incident at 910 West 48 th Street in Kansas City,)	
Missouri.)	

**ORDER REGARDING HEARTLAND MIDWEST'S MOTION TO AUTHORIZE
DEPOSITIONS OF COMMISSION STAFF MEMBERS**

Issue Date: November 12, 2014

Effective Date: November 22, 2014

On October 30, 2014, Heartland Midwest, LLC, filed a motion asking the Commission to authorize it to depose three Commission Staff members about their investigation of a natural gas explosion on February 19, 2013, in Kansas City. Heartland Midwest does not need authority from the Commission to conduct the depositions, but Section 386.480, RSMo 2000 would prohibit the Staff members from disclosing any information provided to them by a third-party, unless they are authorized to disclose that information by a vote of the Commission. So, Heartland Midwest asks the Commission to issue an order authorizing its Staff to disclose information about Staff's investigation even though some of that information was "furnished to the commission by a corporation, person, or public utility". The Commission allowed interested parties until November 6 to respond to Heartland Midwest's motion.

The Commission's Staff filed a response on November 6, recommending the Commission grant Heartland Midwest's motion. Laclede Gas Company, d/b/a Missouri Gas Energy (MGE) also responded on November 6. MGE vehemently opposes the disclosure of information furnished to the Commission by MGE and asks the Commission to deny Heartland Midwest's

motion. Heartland Midwest replied to MGE on November 11, and MGE responded to Heartland Midwest's reply on November 12.

The Commission finds that the information provided to Staff during the course of its investigation should not be disclosed. The Commission's Staff needs to be able to rely on the willingness of the utility and other parties to disclose information to Staff without the apprehension that it will later be disclosed to third parties. Section 386.480, RSMo 2000 prohibits disclosure of information obtained from a public utility or other person or corporation except on order of the Commission. The Commission will not vote to authorize its Staff to disclose any information otherwise protected from disclosure under Section 386.480. To the extent Heartland Midwest's motion is requesting such an order, that motion will be denied. To afford an opportunity to request rehearing of this order, it will be made effective in ten days.

THE COMMISSION ORDERS THAT:

1. Heartland Midwest, LLC's Motion to Authorize Depositions of Missouri Public Service Commission Staff Members is denied.
2. This order shall be effective on November 22, 2014.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Woodruff, Chief Regulatory Law Judge