

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
September 1, 1998**

CASE NO: OO-99-44

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Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

Brian Long
Office of the Governor
State Capitol Building
Room 216
Jefferson City, MO 65101

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 1st
day of September, 1998.

In the Matter of the Assessment Against the)
Public Utilities in the State of Missouri) CASE NO. OO-99-44
for the Expenses of the Commission for the)
Fiscal Year Commencing July 1, 1998.)

ORDER GRANTING INTERVENTION

On August 5, 1998, the Commission issued an Order Regarding Application For Rehearing And Stay which was filed in Case No. 11,110 and subsequently docketed in this case. That order established an intervention deadline of August 31, 1998.

On August 24, the Commission received an application to intervene from Southern Missouri Gas Company, L.P. (SMGC). SMGC is a public utility engaged in the distribution, transportation and sale of natural gas in southern Missouri. As such, SMGC asserts an interest in this proceeding which is specific to it and which is different from that of the general public. SMGC has stated that it "...generally supports the position of the companies that have sought a rehearing and stay of Order No. 52 as it relates to the Article X transfer used to fund the Hancock Amendment refunds."

On August 24, the Commission received an application to intervene from Atmos Energy Corporation (Atmos). Atmos describes itself as a "gas corporation" and "public utility" which provides natural gas service within the State of Missouri through its divisions, Greeley Gas Company and United Cities Gas Company. Atmos asserts it has an interest in this proceeding which is different from that of the general public and that its

participation will aid the Commission in resolving issues raised in this proceeding.

On August 24, the Commission also received an application to intervene from Fidelity Natural Gas Company, Inc. and Fidelity Telephone Company (collectively referred to as Fidelity). Fidelity Natural Gas Company, Inc. is a natural gas utility which provides natural gas service to customers around the city of Sullivan, Missouri. As such, Fidelity is a regulated public utility and has an interest in the disposition of the applicants' motion for rehearing and stay. Fidelity Telephone Company is a telecommunications company and a public utility which provides telecommunications services within the State of Missouri. Fidelity asserts that its interest in this proceeding is different from that of the general public and that its intervention and participation in this proceeding will assist the Commission in resolving issues raised herein.

On August 27, Missouri Gas Energy (MGE) filed an Application To Intervene. MGE is a division of Southern Union Company and provides natural gas at the retail level to approximately 470,000 customers in western Missouri. MGE has stated that at this time it neither supports nor opposes the relief sought by the applicants for rehearing. However, MGE has asserted an interest in the amount and lawfulness of its most recent assessment and for that reason asserts an interest different from that of the general public and requests intervention.

On August 31, Southwestern Bell Telephone Company (SWBT) filed an Application To Intervene. SWBT is a local exchange telecommunications company and a public utility certificated to do business in the State of Missouri. SWBT asserts that because of its unique status as the largest local exchange telecommunications company within the State of Missouri and

one of the larger contributors to the fund, SWBT's interest cannot be represented by any other party to this case.

On August 31, the Commission also received an Application To Intervene from Kansas City Power & Light (KCPL). KCPL is primarily engaged in generation, transmission, distribution and sale of electric energy and power in the States of Kansas and Missouri. KCPL has asserted that although there is insufficient information currently available to identify individual issues which may arise in this case to effect KCPL's interest, its interest in this proceeding is different from that of the general public and cannot be represented by any other party to these proceedings. KCPL asserts that its participation herein will promote the public interest.

The Commission has reviewed the applications for intervention and has determined that each of these applicants has an interest in this matter which is different from that of the general public. Therefore, each of these applicants will be granted intervention.

IT IS THEREFORE ORDERED:

1. That intervention is granted to Southern Missouri Gas Company, L.P., Atmos Energy Corporation, Fidelity Natural Gas Company, Inc., Fidelity Telephone Company, Missouri Gas Energy, Southwestern Bell Telephone, and Kansas City Power & Light Company.

2. That this order shall be effective on September 1, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(SEAL)

Lumpe, Ch., Crumpton, Murray,
and Schemenauer, CC., Concur.
Drainer, C., Absent.

Roberts, Chief Regulatory Law Judge

Al/Sec'y: Roberts / Fridgin
Date Circulated 8-31-98 00-99-44 CASE NO.
Lumpe, Chair [Signature]
Crumpton, Commissioner [Signature]
Murray, Commissioner [Signature]
Schemenauer, Commissioner [Signature]
Draier, Vice-Chair [Signature]
Agenda Date 9-1-98
Action taken: 4-0 AA
Must Vote Not Later Than _____

STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 1st day of September, 1998.

[Signature: Dale Hardy Roberts]

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge