



**MISSOURI GAS ENERGY**

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**ROBERT J. HACK**

SENIOR ATTORNEY

September 29, 1998

FILED

SEP 30 1998

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
301 W. High Street  
Jefferson City, Missouri 65102

**RE: Case No. OO-99-44**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case, please find an original and fourteen (14) conformed copies of Missouri Gas Energy's Responsive Information.

Copies of this filing have been mailed or hand-delivered this date to counsel of record.

Please advise if you have questions regarding this matter.

Sincerely,

cc: F. Jay Cummings  
Charles B. Hernandez  
Service List

Enclosures

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

**FILED**

**SEP 30 1998**

**Missouri Public  
Service Commission**

In the matter of the assessment against )  
the public utilities in the State of Missouri )  
for the expenses of the Commission for the )  
fiscal year commencing July 1, 1998. )

Case No. OO-99-44

**MISSOURI GAS ENERGY'S RESPONSIVE INFORMATION**

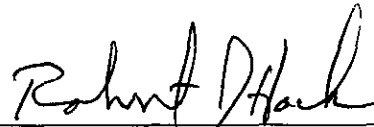
**Comes now** Missouri Gas Energy ("MGE"), by and through counsel, and for its response to the Commission's order herein of August 17, 1998, respectfully states the following:

1. Nature of the stay requested and the remedy sought. To date, MGE has neither requested a stay nor sought any other form of affirmative relief. As stated in its application to intervene, MGE is interested in ensuring that the PSC assessments it pays are lawful.
2. Nature of the protest. MGE's primary concern is with the increase in utility assessments due to Article X transfers. Like the Joint Applicants, MGE questions the propriety of using monies paid into the Public Service Commission Fund to make refunds of state revenues to the general public pursuant to Mo. Const. Art. X, Sections 16-24.
3. Article X distributions received by MGE. Whether and to what extent MGE has received Article X distributions has no bearing on whether the Article X transfers out of the PSC Fund are authorized by law, or whether the Article X transfers are expenses "to be incurred" by the Commission in the coming fiscal year or are "reasonably attributable to the regulation of public utilities" as those phrases are used in

Section 386.370.1 RSMo (1994). MGE is in the process of identifying the total amount of Article X distributions it has received for the 1995 and 1996 tax years and will provide that information to the Commission as soon as it is available.

4. Legal Authority. MGE concurs with the legal authority cited in the Responsive Statement of Joint Applicants filed on August 31, 1998. To the extent that additional legal authority is discovered, MGE reserves the right to raise the same.

Respectfully submitted,

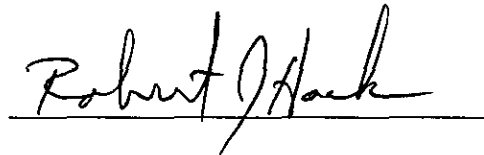


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ATTORNEY FOR MISSOURI  
GAS ENERGY

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand-delivered this 29th day of September, 1998, to the attached service list.



**SERVICE LIST FOR  
CASE NO. OO-99-44**

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