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**JEREMIAH FINNEGAN, P.C.
STUART W. CONRAD
C. EDWARD PETERSON***

***ALSO ADMITTED IN
KANSAS AND MASSACHUSETTS**

March 23, 2001

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison, P.O. Box 360
Jefferson City, MO 65102

Re: Case No. GR-2001-292

Dear Judge Roberts:

Enclosed for filing find an original and nine copies of an Application to Intervene Out of Time on behalf of Jackson County, Missouri and City of Riverside, Missouri.

Also enclosed is a self-addressed and stamped envelope for you to return the extra copy with the file stamp thereon.

If you have any questions regarding this filing, please contact me.

Very truly yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By: 
Jeremiah D. Finnegan

JDF:crb

Enclosures

cc: Office of Public Counsel
General Counsel's Office
Rob Hack
Gary W. Duffy
Stuart W. Conrad
Larry W. Dority
Mark W. Comley
Jane McQueeny
Hon. Betty Burch

FILED³

MAR 26 2001

**Missouri Public
Service Commission**

STATE OF MISSOURI
MISSOURI PUBLIC SERVICE COMMISSION

FILED 3

MAR 26 2001

Missouri
Service Commission

In the Matter of Tariff Revisions of Missouri)
Gas Energy, a Division of Southern Union Co-)
mpany, designed to Increase Rates for Natural)
Gas Service Area to Customers in the Missouri)
Service Area of the Company.)
)
)

Case No. GR-2001-292

APPLICATION TO INTERVENE OUT OF TIME

COME NOW the County of Jackson, Missouri ("Jackson County") and the City of Riverside, Missouri ("Riverside"), pursuant to 4 C.S.R. 240-2.075 of the Rules of Practice and Procedure, and for their Application to Intervene Out of Time state:

1. The County of Jackson, Missouri is a political subdivision of the State of Missouri served by Missouri Gas Energy.
2. The City of Riverside, Missouri is a municipality of the State of Missouri served by Missouri Gas Energy.
3. Correspondence, communications, orders and decisions in this matter should be addressed to:

Jeremiah D. Finnegan, Esq.
FINNEGAN, CONRAD & PETERSON, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111

4. The case was established on November 7, 2000 when Missouri Gas Energy ("MGE") submitted to the Commission proposed tariff sheets intended to implement a general rate increase for natural gas service provided to its Missouri customers, including such customers located within the boundaries of Jackson County and the City of Riverside.

5. On November 27, 2000, the Commission entered an order setting December 18, 2000 as the intervention deadline. This application is therefore untimely.

6. Although notice of this case was received by Riverside and Jackson County, such entities were unable to ascertain whether they had sufficient funds available in their budgets for participation in such case and to thereafter obtain the necessary approval of the appropriate officials, i.e., Mayor and Board of Alderman for Riverside and County Executive and Director of Division of Finance for Jackson County, until well after the deadline for intervention had passed, so that action in filing this application has been delayed. It was not until March 20, 2001 that Counsel for Applicants was advised by the Jackson County Counselor that the approvals had been obtained from the appropriate county officials and it was not until March 21, 2001 that Counsel for Applicants was advised by the Mayor of Riverside that the Board of Alderman had met on March 20, 2001 and approved the participation effort.

7. Both Riverside and Jackson County are users of natural gas in their own operations and they and the residents and businesses within their corporate boundaries would be adversely impacted by the proposed increase in natural gas rates. Both Riverside and Jackson County are generally opposed to the requested increase in both the amount sought and the rate design proposed for distributing the proposed increase among the various customer

classes within their respective corporate boundaries. The Applicants for Intervention have an interest in the outcome of this proceeding, and an interest different from that of the general public.

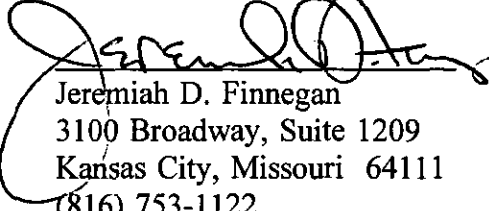
8. Granting the proposed interventions would serve the public interest. This application is not filed for the purposes of delay, and if the Commission should grant these applications, neither the parties nor the Commission will be prejudiced. Under the Commission's procedural schedule, there have been no hearings and direct testimony by intervenors and others is not due to be filed until April 19, 2001, which should leave sufficient time for any discovery the parties may intend with respect to Jackson County and Riverside. Furthermore, although there are two applicants, they would be jointly represented in the proceeding as one entity by the same counsel. The Applicants for Intervention assert that their intervention will be of assistance to the Commission in its deliberations on this subject, and should be accepted out of time for good cause shown, and in the interest of fairness and justice.

9. The granting of the proposed intervention out of time for good cause shown would serve the public interest.

WHEREFORE, for the foregoing reasons, the County of Jackson and the City of Riverside respectfully request that the Commission grant their Application to Intervene in this matter, and thereby entitle them to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the arguments, and in all other respects fully participate in this proceeding.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.


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Mo. Bar #18416

ATTORNEYS FOR COUNTY OF JACKSON,
MISSOURI AND CITY OF RIVERSIDE, MIS-
SOURI

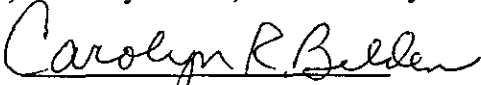
ATTORNEY VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

I, Jeremiah D. Finnegan, being first duly sworn, do hereby certify, depose and state that I am the attorney for the County of Jackson, Missouri and the City of Riverside, Missouri, which seek intervention in the above captioned proceeding before the Commission; that I have read the above and foregoing Application to Intervene and that allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

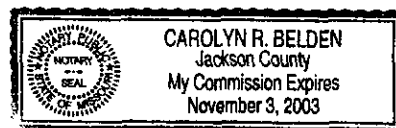

Jeremiah D. Finnegan

Subscribed and sworn to before me, a Notary Public, this 23rd day of March, 2001.


Notary Public

My Commission Expires:

Nov. 3, 2003



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by hand delivery or U.S. mail, postage prepaid addressed to the following persons:

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel's Office
Public Service Commission
P.O. Box 456
Jefferson City, MO 65102

Mr. Gary W. Duffy
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102-0456

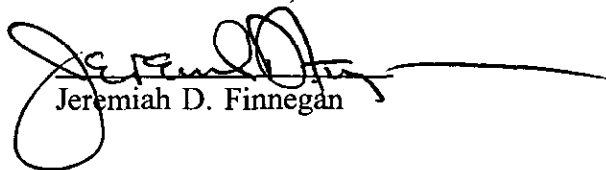
Mr. Rob Hack
Missouri Gas Energy
3420 Broadway Street
Kansas City, MO 64111

Mr. Larry W. Dority
Fischer & Dority
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Newman, Comley & Ruth, PC
601 Monroe St., Suite 301
P.O. Box 537
Jefferson City, MO 65102

Dated: March 23, 2001


Jeremiah D. Finnegan