

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

SOURCEGAS DISTRIBUTION LLC,) FORMAL COMPLAINT NO. FC-
f/k/a KINDER MORGAN, INC. -) 1325
RETAIL.,)
)
Complainant,)
) HEARING OFFICER ORDER
v.) GRANTING EXTENSION OF
) TIME TO FILE ANSWER
PANHANDLE FEEDERS, INC.,)
)
Defendant.) Entered: June 1, 2007

BY THE COMMISSION:

On May 9, 2007, SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc. - Retail (SourceGas) filed a formal complaint against Panhandle Feeders, Inc. (Panhandle) alleging installation of duplicative and redundant natural gas facilities in violation of the State Natural Gas Regulation Act, Neb. Rev. Stat. § 66-1801, et seq.

On May 24, 2007, Panhandle filed a Motion for Extension of Time to File Answer to Formal Complaint (Motion) requesting that the deadline for filing its Answer be extended to June 18, 2007. Panhandle alleges that it needed additional time to retain counsel.

On May 30, 2007, SourceGas filed a Response to Panhandle's Motion (Response) stating that it would not oppose the granting of the extension on the condition that neither Panhandle nor Kinder Morgan Interstate Gas Transmission LLC (KMIGT) or any other person on their behalf undertake any installation work with respect to the natural gas facilities at issue.

For the Commission to order Panhandle not undertake any construction would amount to injunctive relief and would require an evidentiary hearing. If SourceGas seeks to pursue the relief identified in its Response, a further pleading initiating such relief, including factual allegations and legal authority, would be required. However, I caution Panhandle and KMIGT to carefully evaluate whether to undertake any installation until this matter is resolved. If any installation is undertaken, the costs expended to do so will not be considered in resolving this complaint.

Therefore, the Hearing Officer finds that Panhandle's Motion should be granted and the deadline for the filing of its Answer to the Formal Complaint should be extended to **June 18, 2007.**

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that Panhandle's Motion for an Extension of Time to File Answer to Formal Complaint is granted and Panhandle's Answer shall be filed no later than 5:00 p.m. on **June 18, 2007**.

MADE AND ENTERED at Lincoln, Nebraska, this 1st day of June, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

By: _____
Hearing Officer