



2007.11.26 11:55:37  
Kansas Corporation Commission  
/S/ Susan K. Duffy  
Kathleen Sebelius, Governor  
Thomas E. Wright, Chairman  
Michael C. Moffet, Commissioner  
Joseph F. Harkins, Commissioner

November 26, 2007

Susan K. Duffy  
Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Rd.  
Topeka, KS 66604

STATE CORPORATION COMMISSION

NOV 26 2007

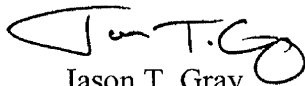
Re: Corrected Cover Pleading – 08-MDWG-486-MIS

 Docket  
Room

Dear Ms. Duffy:

On November 20, 2007, Staff filed its Memorandum in this docket. Page 1 of the cover pleading to the Memorandum incorrectly stated the company name. Please find a corrected Page 1. I apologize for the inconvenience.

Sincerely,

  
Jason T. Gray

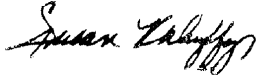
**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of the Application of )  
Midwest Energy, Inc. Requesting )  
Approval of a Temporary Waiver )  
of the 900 BTU Standard )  
Contained in its Distribution )  
Transportation Terms and )  
Conditions. )

Docket No. 08-MDWG-486-MIS

STATE CORPORATION COMMISSION

NOV 26 2007

 Docket  
Room

**STAFF'S MEMORANDUM**

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) and files its Memorandum recommending approval of the application of Midwest Energy, Inc. In support of its filing, Staff states as follows:

1. On October 30, 2007, Midwest Energy, Inc. ("Midwest"), Kinder Morgan Interstate Gas Transportation Company's ("KMIGT"), ONEOK Field Services ("OFS"), interested Kansas gas producers, and Commission Staff (collectively, "Indicated Parties") met at the Commission to discuss issues relating to gas quality. One issue addressed at this meeting concerned the ability of local distribution companies to supply gas with heat content sufficient to meet existing tariffs.

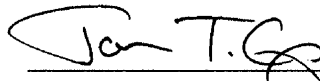
2. On November 14, 2007, the Indicated Parties held a conference call to further discuss the issues addressed at the October 30, 2007 meeting. Specifically, the Indicated Parties addressed issues involving gas heat content and Midwest's tariff specifications. During this call, the parties were able to temporarily resolve many outstanding issues.

3. As a result of the informal discussions of the parties, on November 20, 2007, Midwest filed an application requesting a temporary waiver of the minimum natural gas heat content value found in Section 5(B)(3) of its Distribution Transportation Terms and Conditions

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF SHAWNEE    )


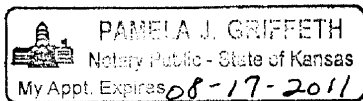
**VERIFICATION**

Jason T. Gray, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas, that he has read and is familiar with the foregoing *Corrected Memorandum* and that the statements contained therein are true and correct to the best of his knowledge, information and belief.



\_\_\_\_\_  
Jason T. Gray, # 22619  
Kansas Corporation Commission of the  
State of Kansas

Subscribed and sworn to before me this 26th day of November 2007.

  
\_\_\_\_\_  
Notary Public

My Appointment Expires: August 17, 2011

**CERTIFICATE OF SERVICE**

08-MDWG-486-MIS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff Memorandum was placed in the United States mail, postage prepaid, or hand-delivered this 26th day of November, 2007, to the following:

DAVID SPRINGE, CONSUMER COUNSEL  
CITIZENS' UTILITY RATEPAYER BOARD  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604  
Fax: 785-271-3116  
d.springe@curb.kansas.gov  
\*\*\*\* Hand Deliver \*\*\*\*

SUSAN DUFFY, EXECUTIVE DIRECTOR  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
s.duffy@kcc.state.ks.us  
\*\*\*\* Hand Deliver \*\*\*\*

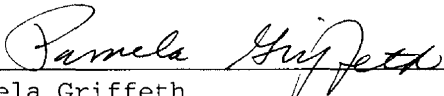
LEO HAYNOS, UTILITIES DIVISION  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
l.haynos@kcc.state.ks.us  
\*\*\*\* Hand Deliver \*\*\*\*

DONALD LOW  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD ROAD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
d.low@kcc.state.ks.us  
\*\*\*\* Hand Deliver \*\*\*\*

PATRICK PARKE, VP CUSTOMER SERVICE  
MIDWEST ENERGY, INC.  
1330 CANTERBURY ROAD  
PO BOX 898  
HAYS, KS 67601  
Fax: 785-625-1494  
patparke@mwenergy.com

ANNE E. CALLENBACH, ATTORNEY  
POLSIANELLI SHALTON FLANIGAN & SUELTHAUS  
6201 COLLEGE BLVD  
SUITE 500  
OVERLAND PARK, KS 66211  
Fax: 913-451-6205  
acallenbach@polsinelli.com

FRANK A. CARO, JR., ATTORNEY  
POLSIANELLI SHALTON FLANIGAN & SUELTHAUS  
6201 COLLEGE BLVD  
SUITE 500  
OVERLAND PARK, KS 66211  
Fax: 913-451-6205  
fcaro@polsinelli.com

  
\_\_\_\_\_  
Pamela Griffeth  
Administrative Specialist