

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 13th day
of March, 2008.

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| In the Matter of the Application of Ozark Energy |) | |
| Partners, LLC for a Certificate of Convenience and |) | |
| Necessity to Construct and Operate an Intrastate |) | |
| Natural Gas Pipeline and Gas Utility to Serve Portions |) | <u>Case No. GA-2006-0561</u> |
| of the Missouri Counties of Christian, Stone and |) | |
| Taney, and for Establishment of Utility Rates |) | |

ORDER DENYING APPLICATION FOR REHEARING

Issue Date March 13, 2008

Effective Date: March 23, 2008

On February 5, 2008, the Missouri Public Service Commission issued its Report and Order granting Ozark Energy Partners, LLC a conditional certificate of convenience and necessity to act as a gas utility. The order was issued with an effective date of February 15. On February 14, an intervening party, Southern Missouri Natural Gas Company, L.P. d/b/a Southern Missouri Natural Gas filed an application for rehearing. Southern Missouri argues that Ozark is not qualified to be a gas utility, should not have been granted a certificate to serve the area of Branson because it does not have a franchise for that area, and has an inadequate plan to provide its supply.

Section 386.500(1), RSMo 2000, states that the Commission shall grant motions for rehearing "if in its judgment sufficient reason therefor be made to appear." Southern Missouri has not provided sufficient reason for a rehearing. The issues that Southern Missouri raises in its application for rehearing was before the Commission when it issued

orders in both this case and Southern Missouri's companion case. The Commission will therefore deny its request.

IT IS ORDERED THAT:

1. Southern Missouri Natural Gas Company, L.P. d/b/a Southern Missouri Natural Gas' application for reconsideration and/or rehearing is denied.
2. This order shall become effective on March 23, 2008.
3. This case may be closed on March 24, 2008.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name and title.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Clayton, Appling, and
Jarrett, CC., concur.
Murray, C., not participating.

Jones, Senior Regulatory Law Judge