

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Southern)
Missouri Gas Company, L.P., d/b/a Southern)
Missouri Natural Gas, for a Certificate of Public)
Convenience and Necessity Authorizing it to)
Construct, Install, Own, Operate, Control, Manage)
and Maintain a Natural Gas Distribution System to)
Provide Gas Service in Branson, Branson West,)
Reeds Spring and Hollister, Missouri.)

Case No. GA-2007-0168

ORDER DENYING MOTION TO POSTPONE HEARING

Issue Date: November 20, 2007

Effective Date: November 20, 2007

On October 24, 2007, Southern Missouri Gas Company, L.P., d/b/a Southern Missouri Natural Gas ("SMNG") filed a proposed procedural schedule on behalf of all the parties to this case. The parties proposed a hearing date of November 27-28, 2007. The Commission adopted the proposed schedule on October 25, 2007.

On November 13, 2007, Ozark Energy Partners, LLC, filed a Motion to Postpone Hearing. Ozark states that because a Second Amended Application, filed on November 5, changes the proposed rates, further review of the feasibility study is needed before holding the scheduled hearing.

On November 15, 2007, SMNG filed its Response in Opposition stating SMNG's Feasibility Study has not changed since the Feasibility Study was originally filed in this case on August 10, 2007 with the First Amended Application. SMNG explained that during discussions with Staff, it became apparent the SMNG's First

Amended Application did not correctly describe the rates used in the Feasibility Study. SMNG's Second Amended Application corrected that error.

Ozark filed an additional notice on November 19, 2007, indicating that although no joint issues list has been filed in the case, it intends to reserve its rights to put forth witnesses and evidence. The Office of the Public Counsel filed a response on November 20, 2007, in support of continuing the hearing. The Staff of the Missouri Public Service Commission also filed a response indicating it did not oppose the postponement of the hearing.

The Commission has reviewed all the pleadings before it and has determined that the hearing should not be continued. The Commission does not intend to delay the hearing dates previously set and agreed to by the parties. The Commission will accommodate witness schedules to the best of its ability, including continuing the hearing if that becomes necessary. Therefore, the Commission shall deny Ozark's motion to postpone the evidentiary hearing.

The Commission further directs the parties to comply with the Commission's order regarding an issues list no later than the beginning of the hearing. If the parties cannot agree to a joint issues list, they may request to be allowed to present separate issues lists. In addition, Staff shall be prepared to state its recommendation and position regarding the application in its opening statement.

IT IS ORDERED THAT:

1. The Motion to Postpone Hearing filed on November 13, 2007, is denied.
2. The parties shall comply with the Commission's order directing the filing of an issues list, no later than the start of the hearing as set out in the body of this order.

3. The Staff of the Missouri Public Service Commission shall be prepared to present its recommendation and position regarding the application in its opening statement at the hearing.

4. This order shall become effective on November 20, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippel, Deputy Regulatory Law
Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of November, 2007.