

**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

OEP NOTICE AND RESERVATION OF RIGHTS

REGARDING PREHEARING FILINGS

COMES NOW Ozark Energy Partners, LLC (hereinafter referred to as "Ozark" or "OEP"), Intervenor herein, by and through counsel, and, in response to "ORDERED: 3" of the *Order Adopting Proposed Procedural Schedule* issued by the Commission in this matter on October 25, 2007, states:

1. The Commission's *Order Adopting Proposed Procedural Schedule* set this matter for hearing on November 27 and 28, 2007.

2. "ORDERED: 3" of that *Order* requires that the parties to this case "jointly file, by no later than Monday, November 19, 2007, a list of the issues to be decided, the witnesses to appear on each day of the hearing and the order in which they will be called, and the order of cross-examination for each witness."

3. At no time since the issuance of that *Order* has counsel for Ozark Energy Partners, LLC been contacted by counsel for SMNG, Applicant herein, about a joint list of issues, a list of witnesses or the order of cross-examination for each witness.

4. The last sentence of “ORDERED: 3” of the October 25 *Order* states: “Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.”

5. The purpose of the instant pleading is to preserve all rights of Ozark Energy Partners, LLC to present witnesses on its behalf, and to cross-examine witnesses of SMNG and any other party, if the hearing proceeds as currently scheduled, in spite of SMNG not having sought or obtained a joint list of issues, joint list of witnesses or order of cross-examination as required by the Commission’s *Order*. No issue should be viewed as uncontested and not requiring resolution by the Commission at the present time. The only issue OEP does not intend to raise is the public need for natural gas service in the Ozarks region. All other questions of qualifications, feasibility and public interest are very much at issue.

WHEREFORE, Ozark Energy Partners, LLC respectfully notifies the Commission that it waives no rights in any hearing in this matter as a result of the failure of SMNG to propose and seek agreement concerning the joint lists required by “ORDERED: 3” of the *Order* of October 25 in this case, and that OEP reserves its rights to raise any issue, present witnesses and cross-examine the witnesses of SMNG and other parties, in any hearing in this matter.

Respectfully submitted,

/s/ William D. Steinmeier

William D. Steinmeier, MoBar #25689

Mary Ann (Garr) Young, MoBar #27951

WILLIAM D. STEINMEIER, P.C.

2031 Tower Drive

P.O. Box 104595

Jefferson City, MO 65110-4595

Phone: 573-659-8672

Fax: 573-636-2305

Email: wds@wdspc.com

COUNSEL FOR OZARK ENERGY
PARTNERS, LLC

CERTIFICATE OF SERVICE

I hereby certify that the undersigned has caused a complete copy of the attached document to be electronically filed and served on the Commission's Office of General Counsel (at gencounsel@psc.mo.gov) and the Office of Public Counsel (at opcservice@ded.mo.gov), and on all counsel of record, on this 19th day of November 2007.

/s/ William D. Steinmeier
William D. Steinmeier