

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

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

**SOUTHERN MISSOURI NATURAL GAS'
STATEMENT IN OPPOSITION TO CONSOLIDATION OF CASES**

COMES NOW Southern Missouri Gas Company, L.P. d/b/a Southern Missouri Natural Gas ("SMNG"), and for its Statement in Opposition in response to the Commission's Order Directing Filing issued on November 16, 2007, respectfully states as follows:

1. In its Order Directing Filing ("Order"), the Commission correctly observed that "[o]n November 15, 2007, during a telephone conference, Ozark Energy Partners, LLC and Southern Missouri Gas Company, L.P. d/b/a Southern Missouri Natural Gas expressed concerns about consolidating Case Nos. GA-2006-0561 and GA-2007-0168." In order to "gather Ozark and Southern Missouri's input on the matter of consolidation," the Commission's Order also required "the parties to file a statement of their concerns prior to Agenda on November 20." SMNG reiterates its opposition to any proposed consolidation of the above-referenced cases herein.

2. The evidentiary hearing in Case No. GA-2007-0168 ("SMNG Case") is currently set for November 27-28, 2007. As set forth in its "Response in Opposition to Ozark Energy Partners' Motion To Indefinitely Postpone Hearing" filed in that

proceeding by SMNG on November 15, 2007, these hearing dates were scheduled with the specific agreement of all of the parties to the SMNG Case, including Ozark Energy Partners ("OEP"), when SMNG filed on October 24, 2007, the Proposed Procedural Schedule on behalf of the parties to that proceeding. Indeed, until the OEP motion of November 13, no objection had previously been lodged against such filed schedule. In accordance with these scheduled hearing dates, witness schedules and travel plans have been made and hearing preparations are proceeding, in contemplation of concluding these hearings on SMNG's application in the two days allotted.

3. On November 13, 2007, SMNG filed its "Objection to Non-Unanimous Stipulation and Agreement and Request for Hearing" in this proceeding, requesting the scheduling of a prehearing conference so that the parties may discuss a proposed procedural schedule to submit to the Commission for its consideration. No responsive pleading has been filed to date. Accordingly, no procedural schedule, let alone hearing dates or the parties' proposals for testimony filings, have been considered, or even contemplated, at this time for the OEP application.

WHEREFORE, Southern Missouri Gas Company, L.P. d/b/a Southern Missouri Natural Gas restates its opposition to any consolidation of Case Nos. GA-2006-0561 and GA-2007-0168, and requests that its evidentiary hearing now scheduled in Case No. GA-2007-0168 for November 27-28, 2007, proceed as planned.

Respectfully submitted,

/s/ James M. Fischer

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ATTORNEYS FOR SOUTHERN
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SOUTHERN MISSOURI NATURAL GAS

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 19th day of November, 2007.

/s/ James M. Fischer

James M. Fischer