

# 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 ) **Case No. GA-2007-0212,**  
Authorizing It to Construct, Install, Own, Operate, Control, ) **et al.**  
Manage, and Maintain a Natural Gas Distribution System )  
to Provide Gas Service in Lebanon, Missouri. )

### **ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: July 10, 2007

Effective Date: July 10, 2007

On July 9, 2007, Southern Missouri Gas Company, L.P., d/b/a Southern Missouri Natural Gas, filed a proposed procedural schedule on behalf of the parties to the case. SMNG stated that at the procedural conference, the parties agreed to recommend a hearing date of July 27, 2007, commencing at 9:00 a.m. SMNG stated, further, that counsel for Southern Star Central Pipeline, Missouri Propane Gas Association, and the Office of the Public Counsel have no objection to this schedule.

The Commission will adopt the proposed hearing date and, in addition, will set other procedural deadlines. The following conditions shall apply to the procedural schedule:

- (A) Prefiled testimony will not be required. Live testimony will be utilized.
- (B) Each party shall file a list of its witnesses and the order in which they shall be called.
- (C) Each party shall file a brief synopsis of, or position statement regarding, the issue/topic about which each of its witnesses is expected to testify, including a summary of the factual and legal points relied on by the party. Such statement shall be simple and

concise and shall not contain argument about why the party believes its position to be the correct one.

(D) Pleadings and briefs shall be filed in accordance with 4 CSR 240-2.080, unless otherwise ordered. The briefs must set forth and cite the proper portions of the record concerning the issues that are to be decided by the Commission.

(E) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. The party shall bring, in addition to the copy for the court reporter, copies of each exhibit for the five Commissioners, the Regulatory Law Judge, and all counsel.

(F) The parties are encouraged to raise appropriate and timely objections to live testimony as it is presented at the hearing.

(G) The parties are encouraged to keep control of witness testimony by raising appropriate objections to narrative and nonresponsive answers.

(H) The hearing transcript will be expedited to be available **no later than August 1, 2007**. If any party seeks to expedite the filing of the transcript further, such request shall be tendered in writing to the Regulatory Law Judge at least five days prior to the date of the hearing.

(I) The parties shall file one round of simultaneous posthearing briefs as ordered below, unless otherwise ordered or unless the parties agree upon oral arguments in lieu of briefs.

(J) Parties may prepare and file proposed findings of fact and conclusions of law, including citations to testimony and other evidence. Proposed findings of fact and conclusions of law, if filed, shall be due on the same date as the party's brief.

**IT IS ORDERED THAT:**

1. The following procedural schedule is adopted:

Any requests to further expedite filing of the transcript	July 20, 2007
Each party's list of witnesses and synopsis of or position statement regarding each witness's testimony	July 24, 2007
Evidentiary hearing	July 27, 2007 9:00 a.m.
Transcript to be filed by	August 1, 2007
Simultaneous briefs	August 13, 2007
Proposed findings of fact and conclusions of law (optional)	August 13, 2007

The evidentiary hearing shall be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

2. This order shall become effective on July 10, 2007

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10th day of July, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary