

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Ozark Energy)	
Partners, LLC for a Certificate of 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)	

ORDER GRANTING MOTION TO WITHDRAW

Issue Date April 23, 2008

Effective Date: May 3, 2008

On February 5, 2008 the Missouri Public Service Commission issued its Report and Order in this matter. Orders denying applications for rehearing were issued on March 13, and the case was closed on March 24. On March 27, counsel for Ozark Energy Partners, LLC filed a Motion to Withdraw. In his motion, counsel states that he understands that Ozark is assigning its existing franchises to Southern Missouri Natural Gas Company, L.P. d/b/a Southern Missouri Natural Gas. Southern was an intervenor in this matter and was competing with Ozark for certification to serve similar service areas. Further, during an on-the-record presentation in a related matter,¹ Ozark stated that it no longer seeks to serve customers in Missouri at this time.²

Commission rule 4 CSR 240-2.040(6) allows attorneys to withdraw by leave of the Commission. The Commission has routinely allowed attorneys to withdraw when a substitute has entered an appearance. Likewise, the Commission has denied motions to

¹ Case No. GF-2007-0215.

² Case No. GF-2007-0215 on-the-record presentation, March 27, 2008, Tr. page 38, line 23 – page 40, line 8.

withdraw where no substitute has entered an appearance. Hence, the Commission has acted to protect the interest of the client.

Although the Commission questions counsel's motives to withdraw from a matter that has been closed, the Commission's curiosity does not compel it to deny the motion. This is particularly so in light of the company's statement during the on-the-record presentation. Additionally, because the matter is closed, there remains no client interest for the Commission to protect. The Commission will therefore grant counsel's request to withdraw.

IT IS ORDERED THAT:

1. The Motion to Withdraw, filed by William D. Steinmeier, Mary Ann Young and William D. Steinmeier, P.C. is granted.
2. This order shall become effective on May 3, 2008.
3. This case may be closed on May 4, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 23rd day of April, 2008.