

Missouri Public Service Commission
Adjudication Division - Data Center
P.O. Box 360
Jefferson City, Missouri 65102-0360
MO 418-2651 (9-01)

FILED²

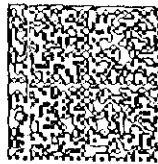
OCT 26 2009

Missouri Public
Service Commission

Michael Kurt & Marcal Vaun Ellenstein
4482 Quince Road
Lebanon, MO 65536

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6510200360

FIRST CLASS

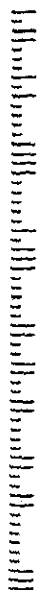


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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Southern Missouri)
Gas Company, L.P. d/b/a Southern Missouri Natural Gas)
for a Certificate of Convenience and Necessity)
Authorizing it to Construct Install, Own, Operate Control,) File No. GA-2010-0114
Manage and Maintain a Natural Gas Distribution System)
to Provide Gas Service in Laclede County, Missouri)
as an Expansion of its Existing Service Area)

NOTICE OF APPLICATION; AND ORDER REGARDING FILING OF MOTIONS FOR INTERVENTION AND RESPONSES TO MOTION FOR EXPEDITED TREATMENT

Issue Date: October 14, 2009

Effective Date: October 14, 2009

The Commission is giving notice of the application described in the title of this action ("application"), and setting a deadline for motions to intervene and responses to the motion for expedited treatment.

SMNG filed the application on October 13, 2009, with a motion for expedited treatment. The application seeks the Commission's permission and approval to construct gas facilities and provide gas service. The application includes legal descriptions locating such proposed construction and service ("proposed service area") at Appendix B, and the names of ten persons residing or owning land in the proposed service area at Appendix D.

The statutory requirement of a "due hearing"¹ allows the Commission to grant an unopposed application without conducting a hearing.²

¹ Section 393.170, RSMo 2000.

² *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall serve this notice and order on the Laclede County Commission, and the persons listed in Appendix D of the application.
2. The Commission's information officer shall make this notice and order available to the members of the Missouri General Assembly whose districts include the proposed service area described in the application, and media serving the proposed service area.
3. Any motion for intervention, and any response to the motion for expedited treatment, is due no later than October 29, 2009. Any such filing shall be mailed to:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

or transmitted through the Commission's electronic filing and information service.

4. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(SEAL)



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

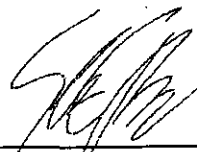
Dated at Jefferson City, Missouri,
on this 14th day of October 2009.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 14th day of October 2009.



Steven C. Reed
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 14, 2009

File No. GA-2010-0114

General Counsel's Office
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Jefferson City, MO 65102

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Sarah McDowell
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**Michael Kurt &
Marcal Vaun Eilenstein**
4482 Quince Road
Lebanon, MO 65536

Enclosed find a certified copy of a NOTICE in the above-numbered matter(s).

Sincerely,



Steven C. Reed
Secretary