

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 Authority to Issue)	<u>Case No. GF-2007-0215</u>
Approximately \$10 Million in Equity Capital)	
and Approximately \$50 Million In Notes and)	
Other Forms of Indebtedness)	

ORDER GRANTING MOTION TO WITHDRAW

Issue Date April 21, 2008

Effective Date: May 1, 2008

On March 27, 2008, Southern Missouri Natural Gas Company, L.P. d/b/a Southern Missouri Natural Gas and Ozark Energy Partners, LLC entered into a Stipulation and Agreement. An on-the-record presentation was held on March 27. Also, on this date, counsel for Ozark filed a Motion to Withdraw. Finally, on April 17, the Missouri Public Service Commission issued an order approving the agreement.

In his motion, counsel states that he was not involved in the negotiations between Ozark and Southern that resulted in the agreement. However, he adds, the agreement fully addresses Ozark's concerns in this matter and that permitting his withdrawal will have no adverse effect on Ozark. Further, Ozark stated during the on-the-record presentation that it no longer seeks to serve customers in Missouri at this time.¹

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 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 is drawing to a close, 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 drawing to a close, 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 1, 2008.
3. This case may be closed on May 2, 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 21st day of April, 2008.