

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

In the Matter of the Application of)	
Southern Missouri Gas Company, L.P.)	Case No. GE-2011-0096
for a Variance and Waiver from the)	
Provisions of 4 CSR 240-3.275.)	

NOTICE OF AGREEMENT

COMES NOW Southern Missouri Gas Company, L.P. d/b/a Southern Missouri Natural Gas ("SMGC" or "Company"), pursuant to 4 CSR 240-2.080, and hereby notifies the Commission of SMGC's Agreement with the Staff Recommendation In Support of Waiver filed herein, and respectfully states as follows:

1. On October 12, 2010, the Staff of the Commission filed its Staff Recommendation In Support of Waiver ("Recommendation"), wherein the Staff supports granting a temporary waiver as requested in the Company's Application for a Variance and Waiver filed on October 4, 2010, subject to certain conditions as set forth in Paragraph 11 of the Recommendation. In its Recommendation, the Staff requests "that the Commission approve Staff's recommendation to grant SMGC a temporary waiver of 4 CSR 240-3.275 subject to the conditions noted above and following: (1) This temporary waiver will apply until the Commission orders otherwise; and (2) SMGC shall not propose changes to its depreciation rates as a part of its 2010 rate case."¹ Staff also advised the Commission that it does not oppose the Company's Motion for Expedited Treatment.

2. Having reviewed Staff's Recommendation and its attached depreciation rate schedule, SMGC hereby notifies the Commission that it is in agreement with the

¹ Staff Recommendation, page 5.

above-referenced conditions and the depreciation rates recommended therein and asks that the Commission issue an order as requested by Staff. Company further requests that the Commission grant its Motion for Expedited Treatment, and issue said order on or before October 20, 2010.

WHEREFORE, SMGC respectfully requests that the Commission consider this Notice of Agreement and, thereafter, issue an order consistent with the Staff Recommendation and SMGC's Motion for Expedited Treatment filed herein.

Respectfully submitted,

/s/ James M. Fischer

James M. Fischer, MBN 27543
email: jfischerpc@aol.com
Larry W. Dority, MBN 25617
email: lwdority@sprintmail.com
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383

Attorneys for Southern Missouri Gas
Company, L.P. d/b/a Southern Missouri
Natural Gas

Certificate of Service

I hereby certify that a copy of the above and foregoing document was sent by electronic mail, or hand delivered, on this 15th day of October, 2010 to:

Lera Shemwell, Deputy General Counsel
Missouri Public Service Commission
Governor Office Building
P.O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
Governor Office Building, 6th Floor
P.O. Box 2230
Jefferson City, MO 65102-7800

/s/ James M. Fischer
James M. Fischer