

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

In the Matter of an Investigation into Compliance)
with the Required Registration of Sellers of Electricity)
and Gas for Use or Consumption Within Missouri.) Case No. GO-2004-0195

MOTION FOR DISMISSAL OF PARTY

COMES NOW Ozark Natural Gas Company, Inc., by and through its undersigned counsel, and respectfully requests that this commission dismiss it as a named party in this investigatory proceeding, and that it be allowed to withdraw from all further participation in same. In support of this motion, Ozark Natural Gas Company, Inc., respectfully states as follows:

1. Ozark Natural Gas Company, Inc. is a Missouri corporation.
2. Ozark Natural Gas Company, Inc. is not an energy “distributor” or “seller” within the intent and purpose of § 393.297 *et seq.*, RSMO 2000.
3. Ozark Natural Gas Company, Inc. was established to explore the possibility of providing natural gas services to Branson, Taney County, Missouri and its surrounding areas, but it has not yet received municipal authority to proceed, has not developed a customer base, has provided no services or fixed assets, maintains no distribution system (billing or metering) and has offered no other “energy services.”
4. Ozark Natural Gas Company, Inc. has been named in the complaint with two different addresses. The 118 South Commercial Street is no longer a current address of Ozark Natural Gas Company, Inc. which is now located at 2580 State Highway 165, Branson, Missouri 65616.
5. Attached hereto is the affidavit of Harold Epps, president of Ozark Natural Gas Company, Inc., attesting to the facts set forth herein.

6. In view of the above stated grounds, Ozark Natural Gas Company, Inc. believes it has inadvertently and erroneously been included within the scope and jurisdiction of these proceedings.

WHEREFORE, having no interest in the outcome of this proceeding, Ozark Natural Gas Company, Inc., respectfully requests that it be dismissed therefrom and relieved from all further participation as a party to this matter.

SHUGHART, THOMSON & KILROY, P.C.

/s/ John C. Holstein
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*ATTORNEYS FOR OZARK NATURAL GAS
COMPANY, INC.*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, by U.S. mail, postage prepaid, this 3rd day of March, 2004, to all parties of record.

/s/ John C. Holstein

John C. Holstein