

**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 Public Convenience and)
Necessity to Construct and Operate an) Case No. GA-2006-0561
Intrastate Natural Gas Pipeline and Gas Utility)
to Serve Portions of the Missouri Counties of)
Christian, Stone and Taney, and for)
Establishment of Utility Rates.)

**MOTION FOR ADMISSION OF LATE-FILED EXHIBIT
OR ADMINISTRATIVE NOTICE**

COMES NOW Ozark Energy Partners, LLC (hereinafter, "Ozark" or "OEP"), by and through counsel, and requests that the Missouri Public Service Commission admit a late-filed exhibit in evidence in this case: namely, the *Stipulation and Agreement of OEP, MGE and Staff* which was filed in this case on November 21, 2007. In the alternative, OEP requests that the Commission simply take administrative notice of said *Stipulation and Agreement of OEP, MGE and Staff*. In support of its Motion, OEP states:

1. The *Stipulation and Agreement of OEP, MGE and Staff* was filed in this case on November 21, 2007, as required by the Commission's rules. 4 CSR 240-2.115 (A). This *Stipulation and Agreement* is limited in scope and affects only potential territorial issues between OEP and MGE in the future.

2. No party filed a timely objection to the *Stipulation and Agreement of OEP, MGE and Staff*, so it should be treated as a unanimous stipulation and agreement. 4 CSR 240-2.115 (2)(C).

3. The hearing in this matter was conducted on November 29, 2007. No objection to the *Stipulation and Agreement of OEP, MGE and Staff* was raised at hearing.

4. Counsel for OEP inadvertently failed to have marked, and offer into evidence, at hearing, the *Stipulation and Agreement of OEP, MGE and Staff*.

5. OEP believes that the *Stipulation and Agreement of OEP, MGE and Staff* is non-controversial, and is not determinative of the ultimate outcome of this case.

6. It is not clear that it is necessary, under the Commission's rules, to have had the *Stipulation and Agreement of OEP, MGE and Staff* marked as an exhibit and offered into evidence, in order for it to have its full effect, since it was already filed in the official case record in this matter on November 21, 2007. See, 4 CSR 240-2.115 (A); 4 CSR 240-2.115 (2)(C); and 4 CSR 240-2.130 (2). However, as it has been the usual custom and practice before the Commission to have stipulations marked and offered as exhibits at hearing, OEP does so here.

WHEREFORE, Ozark Energy Partners, LLC, hereby respectfully moves the Commission to receive the *Stipulation and Agreement of OEP, MGE and Staff*, filed in this case on November 21, 2007, into evidence as a late-filed exhibit; or, in the alternative, to simply take administrative notice of the *Stipulation and Agreement of OEP, MGE and Staff* in this case and consider it part of the evidentiary record herein.

Respectfully submitted,

/s/ William D. Steinmeier

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served electronically on the General Counsel's Office, the Office of the Public Counsel, and counsel for each Intervenor, on this 4th day of December 2007.

/s/ William D. Steinmeier

William D. Steinmeier