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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Ozark Natural Gas Co., Inc. for a)
Certificate of Public Convenience and)
Necessity to Construct, Own, and)
Operate an Intrastate Natural Gas)
Pipeline and Gas Utility to Serve)
Portions of Stone, Taney and Christian)
Counties, and for the Establishment of)
Utility Rates.)

Case No. GA-98-227

ORDER AND NOTICE

On December 3, 1997, Ozark Natural Gas Co., Inc. (Ozark or Applicant) filed an application with the Commission requesting authority to construct and operate an intrastate gas transmission pipeline system and natural gas distribution facilities and to establish the rates for sale or transportation of gas. The proposed pipeline system originates in southern Greene County and extends to proposed natural gas distribution facilities in Stone and Taney Counties and in a limited rural portion of Christian County.

Applicant seeks the authority to provide service in towns and in rural areas not presently served by a natural gas utility. Ozark states in its application that it holds franchises to serve the cities and villages of Branson, Hollister, Reeds Spring, Branson West, Bull Creek Village and Forsyth. Ozark seeks to begin construction in 1998 and therefore requests expedited review of its application.

It appears that Ozark has not complied with the provisions of 4 CSR 240-2.060(2)(G)1 which require Applicant to provide a list of utility lines and facilities which the proposed gas transmission line is

anticipated to cross. Therefore, Ozark shall send notice to the appropriate companies or entities of the anticipated crossings and approximate location of the crossings and shall file with the Commission a copy of the notice and a list of the entities to which the notice was sent.

In addition, the Records Department of the Commission shall send a copy of this order to all the municipalities and county commissions located within the areas proposed to be certificated by Ozark. The Information Office of the Commission will send notice of this application to the members of the General Assembly who represent Stone, Taney, Christian and Greene Counties, and to the newspapers which serve these counties as listed in the newspaper directory of the current *Official Manual of the State of Missouri*.

The Commission has determined that proper parties should be given an opportunity to intervene in this matter. Anyone wishing to intervene must submit an application to intervene to the Secretary/Chief Regulatory Law Judge of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, on or before January 12, 1998. Copies of the application to intervene should be sent to:

Charles J. Fain, Attorney
118.5 S. Commercial St.
Branson, MO 65616

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party or governmental entity is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the Applicant may submit its evidence in support of the application by verified

statement. State ex rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That Ozark Natural Gas Co., Inc. shall give notice to the appropriate company or entity of any anticipated crossing by its proposed transmission line of any electric line, telephone line, railroad track, or underground facility as defined in Section 319.015, RSMo 1994, along with the approximate location of the crossing, and shall file with the Missouri Public Service Commission a copy of the notice along with a list of the entities to which the notice was sent.

2. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

3. That any interested party wishing to intervene in this case shall file an application to do so no later than January 12, 1998. Such applications shall be filed with the Secretary/Chief Regulatory Law Judge of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri, 65102, and copies shall be served upon the Applicant's representative as set forth herein.

4. That this order shall become effective on December 11, 1997.

BY THE COMMISSION

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Gregory T. George, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 11th day of December, 1997.