

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

In the Matter of the Joint Application of Macon       )  
Electric Cooperative and the City of Marceline       )  
for Approval of a Change of Electric Supplier for       ) Case No. \_\_\_\_\_  
Certain Customers in Linn and Chariton Counties       )  
for Reasons in the Public Interest.                       )

**JOINT APPLICATION FOR CHANGE OF ELECTRIC SUPPLIER**

COME NOW Macon Electric Cooperative (Macon) and the City of Marceline (Marceline), hereinafter referred to collectively as "Applicants," and for their Joint Application, pursuant to § 394.315, RSMo, §91.025, RSMo, 4 CSR 240-2.060 and 4 CSR 240-3.140, respectfully state as follows:

**APPLICANTS**

1. Macon is a rural electric cooperative organized and existing under the laws of Missouri with its principal office at 31571 Business Highway 36 East, P.O. Box 157, Macon, MO 63552. It is a Chapter 394 rural electric cooperative corporation engaged in the distribution of electric energy and service to its members within certain Missouri counties. Macon has no pending action or final judgments or decisions against it from any state or federal agency or court that involve its customer service or rates within the three years immediately preceding the filing of this Joint Application. Macon has no overdue annual report or assessment fees. A copy of a Certificate of Good Standing from the Office of the Missouri Secretary of State for Macon is attached hereto and marked **Appendix A**.

2. Marceline is a Missouri third class municipality existing pursuant to § 77.010 RSMo, with its principal office and place of business at Marceline City Hall, 116 N. Main St., Marceline, MO 64658. Marceline is engaged in the business of providing electrical, water, and sewer services to customers in its municipal service area. Marceline has no pending action or

final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or its rates, which have occurred within the three years immediately preceding the filing of this Joint Application. Marceline has no overdue annual report or assessment fees.

3. Correspondence, communications, and orders in regard to this Joint Application should be directed to:

Jeff Elson  
Elson & Devoy  
114 E. Brooks Street  
Brookfield, MO 64628  
660-258-2251 (telephone)  
660-258-2252 (fax)  
e-mail: paralegal@elsondevoy.com

Megan E. Ray  
Andereck, Evans, Widger, Lewis & Figg, LLC  
3816 S. Greystone Ct., Ste. B  
Springfield, MO 65804  
417-864-6401 (telephone)  
417-864-4967 (fax)  
e-mail: mray@lawofficemo.com

## **FACTS**

4. Marceline currently provides electrical service to six (6) properties in Linn County and ten (10) properties in Chariton County as listed on **Appendix B**. These properties are served through 17 meters and consist of 14 residential dwellings, one private garage, and one vehicle sales business. Marceline serves the six properties in Linn County through a single-phase overhead line that extends from the properties along Highway WW to the Marceline city limits. Marceline serves the ten properties in Chariton County through a single-phase overhead line that extends from the properties along Highway 5 to the Marceline city limits.

5. The City of Marceline has requested that Macon provide service to these sixteen properties in order to ensure reliable electric service now and in the future as well as to achieve operational efficiencies for the electric suppliers and reduce utility duplication in this area. The structures now served by Marceline are not located within an area that has been annexed into the City of Marceline.

These properties extend away from the municipal boundaries and into an area that makes service thereto economically infeasible for Marceline due to their distance to Marceline's other electric facilities. Marceline is unable to adequately maintain or perform necessary system upgrades on the line serving these sixteen properties due to the relative remote location of the properties and a lack of revenue to support the significant maintenance expense required for this particular line. Marceline has determined that it is acceptable and prudent to agree to retire and remove its segment of distribution line that now serves these sixteen properties in order for said properties to be provided reliable electric service by Macon.

Marceline's removal of its current line serving these 16 properties would reduce utility duplication in this area and would eliminate utility crossings between Macon and Marceline. Macon has an existing electric distribution line in close proximity to these sixteen properties that runs parallel to the City of Marceline's distribution line along State Highway WW. In order to provide service to these 16 properties, Macon will be required to construct a 7.2 kV overhead electric line extension that will be approximately one mile in length. It is therefore proposed that the Commission approve a change of supplier for these sixteen properties that will allow Marceline to discontinue service and allow Macon to provide service.

6. A diagram of the properties, Marceline's existing lines and Macon's existing lines are attached hereto and marked **Appendix C**. All relevant properties are located within unincorporated rural areas of Linn and Chariton Counties in Missouri. Macon is authorized to serve the unincorporated rural areas of Linn and Chariton Counties in Missouri under Section 394.080.1(4), RSMo.

7. All sixteen property owners or tenants have consented to the proposed change of supplier from Marceline to Macon. Their written consents are attached hereto as **Appendix B**.

## STATUTE

8. Section 394.315.2, RSMo provides in relevant part that “[t]he public service commission, upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than rate differential, and the commission is hereby given jurisdiction over rural electric cooperatives to accomplish the purpose of this section.”

9. Section § 91.025, RSMo provides in relevant part that “[t]he public service commission, upon application made by a customer, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential, and the commission is hereby given jurisdiction over municipally owned or operated electric systems to accomplish the purpose of this section.”

## PUBLIC INTEREST

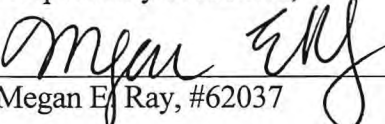
10. The proposed change of supplier is in the public interest because it will ensure reliable electric service for these sixteen properties. The change also achieves operational efficiencies for the electric suppliers and reduces utility duplication. Thus, the proposed change of supplier is in the public interest for a reason other than a rate differential.

WHEREFORE, Joint Applicants respectfully request that the Commission issue its order:

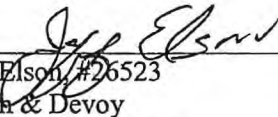
(a) Finding that the change of electric supplier proposed herein is in the public interest and approving the proposed change of electric supplier; and

(b) Granting such other relief as is deemed necessary to accomplish the purposes of this Joint Application.

Respectfully submitted,

  
Megan E. Ray, #62037

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(417) 864-4967 (fax)  
Email: mray@lawofficemo.com  
ATTORNEYS FOR MACON  
ELECTRIC COOPERATIVE

  
\_\_\_\_\_  
Jeff Elson, #26523  
Elson & Devoy  
114 E. Brooks Street  
Brookfield, MO 64628  
660-258-2251 (telephone)  
660-258-2252 (fax)  
Email: paralegal@elsondevoy.com  
ATTORNEY FOR THE CITY OF MARCELINE

### Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Joint Application was served by electronic mail or U.S. Mail, postage prepaid, this 31<sup>st</sup> day of October, 2017 upon the following:

Office of the Public Counsel  
Hampton Williams  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, Missouri 65102  
opcservice@ded.mo.gov

Missouri Public Service Commission  
Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, Missouri 65102  
staffcounsel@psc.mo.gov

Steve (Dwayne) Tarpeneing  
30838 Monroe Dr.  
Marceline, MO 64658

Daniel C. Ewigman  
34713 Highway WW  
Marceline, MO 64658

John W. McCauslin  
Route 2 Box 251  
Marceline, MO 64658

Dr. David Armin  
Route 2 Box 249  
Marceline, MO 64658

Tom & June Bishop  
35158 Highway WW  
Marceline, MO 64658

John Huff  
36073 Highway WW  
Marceline, MO 64658

Zach & Tricia Neblock  
27299 Morton Rd.  
Marceline, MO 64658

Ernestine Welch  
Route 1  
Marceline, MO 64658

Leonard R. Stallo  
10083 Highway #5  
Marceline, MO 64658

Robert Clarke  
10421 Highway #5  
Marceline, MO 64658

Kenneth L. Griffin  
10256 Highway #5  
Marceline, MO 64658

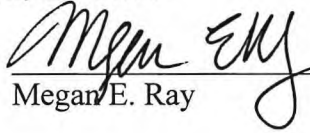
Mike & Sue Ewigman  
10554 Highway #5  
Marceline, MO 64658

S & S Auto (Leonard R. Stallo)  
10015 Highway #5  
Marceline, MO 64658

Chad & Amanda Tillery  
10242 Highway #5  
Marceline, MO 64658

John & Pam Gladbach  
10294 Highway #5  
Marceline, MO 64658

Leroy Quinn  
Route 1  
Marceline, MO 64658

  
Megan E. Ray

VERIFICATION

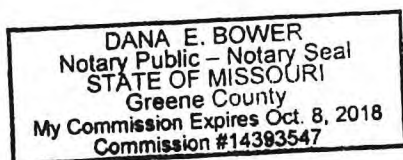
STATE OF MISSOURI     )  
                                      )ss  
COUNTY OF Greene     )

Being first duly sworn, Megan E. Ray states as follows: that she has read the foregoing application and the facts and allegations contained therein are true and correct to the best of her knowledge, information and belief and that the law firm of Andereck, Evans, Widger, Lewis & Figg, LLC is authorized by Macon Electric Cooperative to make this filing and represent it in this matter.

  
Megan E. Ray

Subscribed and sworn to before me this 30th day of October, 2017.

  
Notary Public






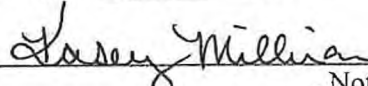
VERIFICATION

STATE OF MISSOURI     )  
  )ss  
COUNTY OF Linn     )

I, Richard J. Hoon state that I am employed by the City of Marceline (Marceline) as City Manager; that I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of Marceline.

  
\_\_\_\_\_  
Richard J. Hoon

Subscribed and sworn to before me this 20 th day of October, 2017.

  
\_\_\_\_\_  
Notary Public

**KASEY MILLIRON**  
**Notary Public-Notary Seal**  
**STATE OF MISSOURI**  
**Linn County**  
**My Commission Expires: 6/10/2020**  
**Commission# 12566118**