

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

In the Matter of the Application of The)
Empire District Electric Company and)
Ozark Electric Cooperative for Approval)
of a Written Territorial Agreement)
Designating the Boundaries of Exclusive)
Service Areas within Christian County)

File No. _____

JOINT APPLICATION

COME NOW The Empire District Electric Company (Empire) and Ozark Electric Cooperative (Ozark) (collectively, Applicants), by and through their respective counsel, and for their Joint Application to the Missouri Public Service Commission (the "Commission"), pursuant to 4 CSR 240-2.060, 4 CSR 240-3.130, and RSMo. §394.312 and §416.041, for an order approving Applicants' Third Territorial Agreement (Agreement), respectfully state as follows:

The Applicants

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri 64801. Empire is engaged in the business of providing electrical and water utility services in Missouri to customers in its service areas and has a certificate of service authority to provide certain telecommunications services. Empire is an "electrical corporation," a "water corporation," a "telecommunications company" and a "public utility," all as defined in Section 386.020, RSMo, and Empire is subject to the jurisdiction and supervision of the Commission as provided by law. Empire has a wholly owned subsidiary that is a "gas corporation."

2. Empire has no pending or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates and that have occurred within the three years immediately preceding the filing of this Application. Empire has no overdue Commission annual reports or assessment fees. Empire's documents of incorporation have been previously filed with the Commission in Case No. EF-94-39 and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). A Certificate of Authority from the Missouri Secretary of State to the effect that Empire, a foreign corporation, is duly authorized to do business in the State of Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated herein by reference.

3. Ozark is a rural electric cooperative organized and existing pursuant to Chapter 394, RSMo, with its headquarters located at 10943 N. Highway 39, Mount Vernon, Missouri. 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. Ozark has no pending or final judgments or decisions against it from any state or federal agency or court which involve its customer service or rates within the three years immediately preceding the filing of this Joint Application. A copy of a Certificate of Good Standing from the Office of the Missouri Secretary of State for Ozark was filed in Case No. EO-2006-0213 and is incorporated herein by reference.

Correspondence and Communication

4. Correspondence, communications, orders, and decisions in regard to this Application should be directed to:

Sarah B. Knowlton, # 71361

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The Territorial Agreement

5. **The Service Areas.** Subject to the terms and conditions of the Third Territorial Agreement between Ozark Electric Cooperative and The Empire District Electric Company (the “Agreement”), the Applicants have agreed to a boundary change affecting a small parcel of land within the City of Ozark, as described in Section 1 of the Third Territorial Agreement. Applicants have attached a copy of the Agreement to this Application as **Appendix A**, which is incorporated by reference into this Application and made a part hereof for all purposes. As required by 4 CSR 240-3.130(1)(A), a metes and bounds description, and a map, of the area affected by the Third Territorial Agreement are a part of the Agreement and are incorporated by reference into this Application and made part hereof for all purposes. Each Applicant will continue to have

service responsibilities beyond the boundaries of the Agreement unaffected by the terms of the Territorial Agreement.

The purpose of this Third Territorial Agreement is to allow Ozark to provide electrical service to an electronic sign on a small tract of land within the city limits of Ozark, Missouri, owned by Mr. Ron Kisse. Ozark already provides electrical service to the tract, serving a pre-existing building operated by CenturyLink, and can hang an additional meter on an existing pole to provide electricity to Mr. Kisse's sign.

6. **No Changes of Suppliers.** The Agreement does not require transfer of any facilities or customers between the Applicants, so no list of structures and persons whose utility service would be changed by the Agreement, as required by 4 CSR 240-3.130(1)(E), is included.

7. **Tariff.** In accordance with 4 CSR 240-3.130(2), Empire will supply the referenced "illustrative tariff" when it has been prepared.

8. **Other Electric Suppliers.** To Applicants' knowledge and belief, there are no other electric suppliers serving in the areas covered by this Agreement.

9. **Public Interest.** The Agreement is not detrimental to the public interest and the proposed change in electric service area designation is in the public interest, because the Agreement allows Ozark to provide electric service to the electronic sign in the most efficient manner possible. This will prevent duplication of electric service facilities and will allow the Applicants to avail themselves of prior investment and planning for serving the public.

Application Fee

10. The Commission's filing fee required by 4 CSR 240-3.130(3) is submitted herewith. Pursuant to the Agreement, the Commission's filing fee is being split between the Applicants.

WHEREFORE, Applicants respectfully request that the Commission issue its report and order: (a) finding that the designation of electric service areas is not detrimental to the public interest and approving the Applicants' Third Territorial Agreement; and (b) authorizing Applicants to perform in accordance with the terms and conditions of the Agreement.

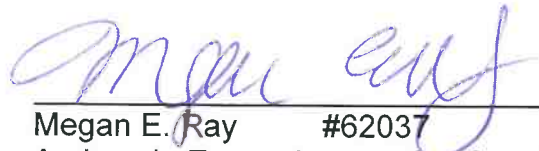
Respectfully submitted,

ATTORNEYS FOR THE EMPIRE
DISTRICT ELECTRIC COMPANY:



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ATTORNEY FOR RON KISSEE:

A handwritten signature in black ink, appearing to read "William D. Steinmeier", written over a horizontal line.

William D. Steinmeier, #25689

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on June 4, 2019, to the following:

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