

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

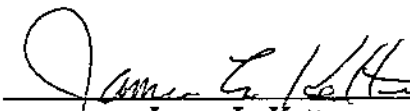
In the Matter of the Application of Ozark)
Electric Cooperative and City Utilities of)
Springfield, Missouri, for Approval of a)
Written Territorial Agreement for Service)
at a Designated Location within the City)
Limits of Springfield, Missouri.)

Case No. EO-2007-0080

AFFIDAVIT OF JAMES L. KETTER

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James L. Ketter, of lawful age, on his oath states: that he has participated in the preparation of the foregoing written Memorandum and Recommendation to be presented in the above case, that the information in the attached written Memorandum and Recommendation was given by him; that he has knowledge of the matters set forth in such Memorandum and Recommendation; and that such matters are true and correct to the best of his knowledge and belief.



James L. Ketter

Subscribed and sworn to before me this 20th day of October, 2006.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086



Notary Public

My commission expires 9-21-10

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. EO-2007-0080, Joint Application of Ozark Electric Cooperative
and City Utilities of Springfield, Missouri for Approval of a Written
Territorial Agreement for Service at a Designated Location within the City
Limits of Springfield, Missouri.

FROM: James L. Ketter, Energy Department – Engineering Analysis

<u>/s/ Lena M. Mantle 10/20/06</u> Energy Department / Date	<u>/s/ Kevin A. Thompson 10/20/06</u> General Counsel's Office / Date
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Subject: Staff Recommendation

Date: October 20, 2006

OVERVIEW

On August 18, 2006, Ozark Electric Cooperative (Ozark or Cooperative) and City Utilities of Springfield, Missouri (City Utilities) filed a Joint Application seeking approval of the First Electric Service Territorial Agreement. The property subject to the agreement is a tract of land, containing approximately 2.58 acres, that is within the city limits of Springfield, Missouri. The tract is located along Farm Road 103 in Greene County.

On August 24, 2006, an Order was issued in Case No. EO-2007-0080 requiring notice be sent of the filing and setting an intervention date of September 13, 2006. In addition, the Order states “if no party 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 make a decision on the verified pleadings.” No entity has sought intervention in this case. Neither the Staff nor

the Office of the Public Counsel has requested a hearing. On September 25, 2006, the Commission Order directed the Staff to file its memorandum and recommendation no later than October 20, 2006.

DISCUSSION

The Joint Application requests that Ozark be authorized to provide electric service within the Springfield, Missouri city limits, to a parcel along Farm Road 103 in Greene County. City Utilities has proposed a new sewage pump station that will require three-phase electric service. City Utilities has single-phase available, but three-phase facilities are approximately two mile away. Ozark has three-phase facilities along this portion of Farm Road 103 that have adequate capacity for the pump station.

City Utilities estimates that extension of three-phase facilities to the site would cost approximately \$200,000. The applicants state that this Territorial Agreement is in the public interest because the taxpayers would not have to pay the extra cost for a three-phase extension of facilities and it would also avoid of duplication of facilities already in place.

As a rural electric cooperative, Ozark is authorized to serve rural customers in the State of Missouri. The sewage pump station site is located within the city limits of Springfield, Missouri, and Ozark is not authorized to set a meter to serve a customer. A Commission approved territorial agreement will allow Ozark to serve only within the bounds of the proposed site as described in Exhibit A and Exhibit B of the Joint Application.

Staff has conducted an inspection of the proposed sewage pump station site. The Ozark three-phase electric facilities are across the road from the proposed site. The single-phase City Utilities electric facilities are along the front of the property. This territorial agreement will allow for the best use of existing electric facilities and save City Utilities and their taxpayers the added cost to extend duplicative facilities.

STAFF RECOMMENDATION

The Staff recommends that the Commission approve the Joint Application for the First Electric Service Territorial Agreement between Ozark and City Utilities as being in the public interest. The existing electric facilities of Ozark at the site makes this the most economical and practical source for three-phase electric service. In addition, duplication of electric facilities can be avoided which will reduce the public and worker exposure to additional overhead electric facilities. With an approved agreement, Ozark is authorized to serve this specific tract within the city limits.

Ozark is a rural electric cooperative and no annual reports or assessments are required from the Commission. City Utilities is the municipal utility service provided by the City of Springfield, Missouri, and no annual reports or assessments are required from the Commission. The Staff is not aware of any other matter before the Commission that affects or is affected by this filing.