

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

In the Matter of the Application of Ozark)
Electric Cooperative and City Utilities of)
Springfield, Missouri, for Approval of a) **Case No. EO-2007-0080**
Written Territorial Agreement for Service)
at a Designated Location within the City)
Limits of Springfield, Missouri.)

MOTION FOR DETERMINATION ON THE PLEADINGS

COMES NOW the Staff of the Missouri Public Service Commission, by and through the Commission's General Counsel, and hereby moves the Commission to determine this matter on the basis of the verified pleadings and to relieve it of the obligation to file a Proposed Procedural Schedule by September 25, 2006. In further support of its Motion, Staff states as follows:

1. On August 18, 2006, Ozark Electric Cooperative, and the City Utilities of Springfield, Missouri, filed a joint application asking the Commission to approve a territorial agreement between the cooperative and the city.

2. Thereafter, on August 24, 2006, the Commission issued its Order Directing Notice and Setting Date for Intervention Requests.

3. The Order of August 24, 2006, stated in pertinent part, "If no proper 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 based on the verified pleadings."

4. No entity has sought intervention herein and the Order of August 24, 2006, required that such requests be filed by September 13, 2006.

5. Neither the Staff nor the Public Counsel has requested a hearing in this matter.

6. Counsel for Ozark Electric Cooperative has advised the undersigned that the Joint Applicants do not believe that an evidentiary hearing is necessary in this matter.

7. The undersigned inquired of the Public Counsel on this date and was told that the Public Counsel does not presently desire an evidentiary hearing herein and does not anticipate wanting one later.

8. Staff will file a verified Staff Memorandum and Recommendation herein, but has not yet done so. The undersigned does not now know when that verified Staff Memorandum and Recommendation will be filed.

9. The Order of August 24, 2006, requires that Staff file a Proposed Procedural Schedule by September 25, 2006, setting a date for an evidentiary hearing in the event that one is required.

WHEREFORE, Staff moves the Commission to determine this matter on the basis of the verified pleadings and to relieve it of the obligation to file a Proposed Procedural Schedule by September 25, 2006; and for such other and further relief as the Commission deems just in the premises.

Respectfully submitted,

s/ Kevin A. Thompson _____

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Attorney for Staff.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this 19th day of September, 2006, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson _____