

BEFORE THE PUBLIC SERVICE COMMISSION OF THE
STATE OF MISSOURI

In the matter of the application of Missouri
Power & Light Company for a Certificate
of Convenience and Necessity to construct,
operate and maintain a new 69,000 volt
electric line and a new 69,000/4,160 volt
substation in the City of LaGrange,
Lewis County, Missouri.)

Case No. EA-79-166

APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY

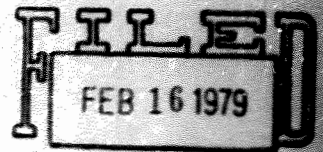
Comes now Missouri Power & Light Company, hereinafter referred to as "Applicant, and in support of its application for permission and authority under Section 393.170 RSMo 1969, to construct, operate and maintain a new 69,000 volt electric line and a new 69,000/4,160 volt substation in the City of LaGrange, Lewis County, Missouri, respectfully states that:

1. Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, with its principal office at 101 Madison Street, Jefferson City, Missouri. Applicant is engaged as a public utility, subject to the jurisdiction of this Commission, in rendering electric and gas service in various municipalities and counties, all in the State of Missouri.

2. Communications in regard to this application should be addressed to:

Mr. David C. Harrison, President
Missouri Power & Light Company
P.O. Box 780
Jefferson City, Missouri 65102

Mr. Norman G. Curtright
General Attorney
Missouri Power & Light Company
P.O. Box 780
Jefferson City, Missouri 65102



PUBLIC SERVICE COMMISSION

3. Applicant desires to construct, operate and maintain a new 69,000 volt electric line and a new 69,000/4,160 volt substation in the City of LaGrange, Lewis County, Missouri.

4. The construction of said line and substation will be financed with funds from the treasury of the Applicant and unsecured short-term bank loans. Subsequently, Applicant will fund the unsecured bank loans through the issue and sale of stock, mortgage bonds, or other form of permanent financing, subject to the approval of this Commission. The cost will be approximately \$200,000.

5. Attached hereto and made a part hereof is Drawing No. C-4208A, marked Exhibit No. 1, which fully sets forth the location of the proposed construction.

(1)

H.D.

6. The construction of the proposed line and substation will conform to all requirements of the National Electrical Safety Code and the Missouri Public Service Commission.

7. The proposed construction is required to provide needed additional electrical power to serve expanding industrial and residential electrical loads served by the Company in LaGrange, Missouri, and is therefore in the public interest.

8. Attached hereto and made a part hereof, marked Exhibit No. 2, is a copy of the Order of the County Court of Lewis County, Missouri, authorizing Applicant to erect, operate and maintain power lines over, along and across the roads of said county.


9. Attached hereto and made a part hereof, marked Exhibit No. 3, is a copy of the Ordinance of the City of LaGrange, Missouri, granting Applicant a franchise for serving electric power and for placing its power lines over, along and across the public ways of that City.

10. Attached hereto and made a part hereof, marked Exhibit No. 4, is a list of all utility and communication company facilities which will be affected by the proposed construction. Each of said companies has been notified of the proposed construction.

11. Attached hereto and made a part hereof, and marked Exhibit No. 5, is a description of the location of the proposed construction.

WHEREFORE, Applicant prays that the Missouri Public Service Commission grant permission to construct, operate and maintain a new 69,000 volt electric line and a 69,000/4,160 volt substation in the City of LaGrange, Lewis County, Missouri, and to issue to Missouri Power & Light Company a Certificate of Convenience and Necessity for so doing.

MISSOURI POWER & LIGHT COMPANY

By 
Norman G. Curtright
General Attorney


STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Norman G. Curtright, of lawful age being duly sworn, states that he is General Attorney of Missouri Power & Light Company, the Corporation described in the foregoing application; that he is authorized to and did sign such application as General Attorney; that he has knowledge of the facts stated in the foregoing application and for and on behalf of said

corporation states that such facts are true to the best of his knowledge and belief.


Norman G. Curtwright

Subscribed and sworn to before me this 16th day of February, 1979.


Barbara Ann Rackers, Notary Public
County of Cole, State of Missouri

My commission expires December 20, 1982.

STATE OF MISSOURI)
COUNTY OF LEWIS) ss

February TERM, 1923
County Court of Lewis County,
Missouri.

On the 26th day of February, 1923,
the following, among other proceedings, were had to-wit:

In the matter of the application of North Missouri Power Company to build transmission lines along the public roads of Lewis County, Missouri.

Now, on this day comes North Missouri Power Company, a corporation with its principal office located at Excelsior Springs, Missouri, and presents a petition praying the Court to grant said Company, its successors and assigns, the right and privilege to erect poles, guys and supports and string conductors along the public roads and highways of Lewis County, Missouri, and to do and perform such other acts and things as may be necessary for the transmission of electric current from its power station at Edina, Missouri, and from other places and locations for public use in the municipalities and rural communities of said Lewis County, and the Court, having examined said petition, and being fully advised concerning the same, orders that the prayer of the petitioner be granted; and the said North Missouri Power Company, its successors and assigns, are hereby granted the right to erect poles, guys and supports and string conductors along the public roads of Lewis County, Missouri, and to do and perform such other acts and things as may be necessary for the transmission of electric current from its power station at Edina, Missouri, or other sources of supply, provided, however, that said transmission lines shall be so constructed that they will in no way

interfere with the public use of the roads of this County or the safety of the public, and such construction and maintenance shall be under and subject to the regulation of the County Highway Engineer of said Lewis County, or other authority, or authorities, having control of the use of the roads of this County, on behalf of the public.

STATE OF MISSOURI)
COUNTY OF LEWIS) ss.

I, W. H. Roberts Clerk of the County

Court in and for said County, hereby certify that the above and foregoing is a full, true and complete copy of the proceedings of our said County Court on the day and year above written, as the same appear of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court, at office in the City of Monticello, County and State aforesaid, this 26th day of February, 1923.

W. H. Roberts
By Alva H. Bates Deputy
Clerk, County Court, Lewis
County, Missouri.

ORDINANCE NO. 145

AN ORDINANCE GRANTING THE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO THE MISSOURI POWER & LIGHT COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MISSOURI, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN THE CITY OF LaGRANGE, COUNTY OF LEWIS, STATE OF MISSOURI, A SYSTEM FOR THE MANUFACTURE, TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY FOR LIGHTING, HEATING AND POWER PURPOSES; AND PROVIDING THE TERMS THEREOF.

WHEREAS, the Missouri Power & Light Company, a corporation duly organized and existing under the laws of the State of Missouri, hereinafter designated as "Power Company" has applied to the City of LaGrange, hereinafter designated as "Municipality" asking that the right, privilege and authority be granted to it, its successors and assigns, by ordinance to construct, maintain and operate a system for the manufacture, transmission, distribution and sale of electricity for lighting, heating and power purposes, to said Municipality, and the inhabitants thereof; and

WHEREAS, said Power Company has duly complied with all provisions of the laws of the State of Missouri, and with all ordinances of said Municipality with reference to the obtaining of such right, privilege and authority:

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of LaGrange as follows:

SECTION 1: That the right, permission and authority be, and the same are hereby granted to said Power Company to construct, maintain and operate in the City of LaGrange, a municipal corporation organized and existing under and by virtue of the laws of the State of Missouri, a system for the manufacture, transmission, distribution and sale of electricity for lighting, heating and power purposes. The Power Company may construct, maintain and operate all necessary poles, wire, conduits and apparatus necessary or convenient for such system in, upon, over, across and under each and all of the streets, alleys, avenues, bridges and other public places, and may trim trees where necessary in said Municipality in accordance with the ordinances and regulations currently in force in said Municipality.

SECTION 2: All poles erected under this ordinance shall be not less than twenty-five (25) feet in length, and all poles and conduits shall be located under such supervision as Municipality may from time to time provide and so as not to injure unnecessarily any pavement, sidewalks, drains, sewers, water pipes or other like improvements and said Power Company shall repair the damage, caused by such location, to pavements, sidewalks, drains, sewers, water pipes and other public places. All necessary work shall be done with due and reasonable dispatch and with the least practicable interference with the rights of the public.

SECTION 3: The rates to be charged by the said Power Company under this ordinance shall be in accordance with those now or hereafter filed with and approved by the Missouri Public Service Commission or its legally qualified successor.

SECTION 4: The Municipality shall have the right at its expense to use the poles erected by the Power Company for its fire alarm system or any electric police alarm system it may hereinafter adopt, but Municipality shall indemnify and save said Power Company harmless from all damages, injuries, costs and claims for damage to property whatsoever and person whomsoever, in any way caused by or resulting from the installation, operation and removal of such alarm systems on poles of said Power Company.

SECTION 5: Said Power Company shall maintain adequate and continuous service to the inhabitants of said Municipality, in accordance with its rules and regulations on file with the Missouri Public Service Commission subject however to temporary cessations of service occasioned by fire, explosion, flood, strike, insurrection, mob violence, governmental interference, breakdown or injury to equipment or lines or other accidents or causes not reasonably within control of said Power Company.

SECTION 6: That all rights and privileges granted by this ordinance are granted for a term of twenty (20) years from and after the acceptance of this ordinance as hereinafter provided; but nothing herein shall be construed as giving said Power Company an exclusive right to the privileges herein granted.

SECTION 7: That after the passage and approval of this ordinance and within sixty (60) days, this ordinance shall be accepted by said Power Company by the filing with the Clerk of said Municipality an unconditional written acceptance thereof.

SECTION 8: This ordinance, upon acceptance by the Power Company as above provided, shall be and become a valid grant, and the rights therein granted shall thereupon become effective, subject to all the terms and conditions herein set forth.

SECTION 9: That all provisions of this ordinance which are obligatory upon or which inure to the benefit of said Missouri Power & Light Company, shall be obligatory upon and shall inure to the benefit of all successors and assigns of said MISSOURI POWER & LIGHT COMPANY, and the word "Power Company" wherever used in this ordinance shall include and be taken to mean not only MISSOURI POWER & LIGHT COMPANY, but all successors and assigns of said MISSOURI POWER & LIGHT COMPANY.

PASSED THIS 11 DAY OF MARCH, 1960

W. H. Thomas
PRESIDING OFFICER

APPROVED THIS 11 DAY OF MARCH, 1960

W. H. Thomas
MAYOR

ATTEST:

Alice Fisher
CITY CLERK

STATE OF MISSOURI)
) SS.
COUNTY OF LEWIS)

I, ALICE FISH, Clerk of the City of LaGrange, County of Lewis, State of Missouri, do hereby certify that the foregoing is a true, correct and complete copy of a franchise ordinance, duly passed by the Board of Aldermen of the City of LaGrange, this 11 day of MARCH, 1960, the original of which franchise ordinance is on file in my office.

I do hereby certify that I am the legal custodian of all papers, contracts, documents and records of such City.

In witness whereof, I have hereunto set my hand and affixed the official seal of said City of LaGrange this 11 day of MARCH, 1960.

Alice Fish
City Clerk

UTILITY FACILITIES AFFECTED

BY PROPOSED CONSTRUCTION

1. Central Telephone Company of Missouri
P. O. Box 625
Shelbina, Missouri 63468
2. Great River Gas Company
515 Broadway
Hannibal, Missouri 63401

DESCRIPTION OF LOCATION

Begin at the southeast corner of the northwest quarter of Section 36, Township 61 North, Range 6 West, in Lewis County, Missouri, thence north along the east line of said quarter section for a distance of one-half mile to the south right of way line of Missouri State Highway Route "C", thence east parallel with and 2 feet north of the south right of way line of State Highway Route "C" for a distance of approximately 2,000 feet, thence northerly to the north right of way line of State Highway Route "C" and entering Missouri Power & Light Company property terminating at the proposed substation.