

A:

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

In the Matter of the Application of	)	
The Empire District Electric Company	)	
for a Certificate of Public Convenience	)	
and Necessity Authorizing it to Construct,	)	
Install, Own, Operate, Control, Manage,	)	<u>Case No. EA-99-172</u>
and Maintain an Electric Transmission and	)	
Distribution System to Provide Electric	)	
Service in an Area in Greene County,	)	
Missouri.	)	

**ORDER AND NOTICE**

On October 20, 1998, The Empire District Electric Company (Applicant) filed an application with the Commission requesting authority to construct, own and operate an electric transmission and distribution system to provide electric service in an area of Greene County, Missouri.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send a copy of this order to the mayors of all municipalities and county commissions located within Greene County. The Information Officer of the Commission shall send notice of this application to the members of the General Assembly who represent Greene County, and to the newspapers that serve Greene County as listed in the newspaper directory of the current Official Manual of the State of Missouri.

Proper persons wishing to intervene shall file an application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene should be sent to the parties listed below.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. 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 that the Applicant may submit its evidence in support of the application by verified statement. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

**IT IS THEREFORE ORDERED:**

1. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

2. That any interested person wishing to intervene in this case shall file an application on or before November 23, 1998 with:

Secretary of the Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

and copies shall be served upon the following persons:

Mike Palmer, Director of Commercial Operations  
Branson/Aurora District  
The Empire District Electric Company  
215 West Main St.  
Branson, Missouri 65616

Gary W. Duffy, Attorney at Law  
Brydon, Swearingen & England, P.C.  
312 East Capitol Ave.  
P.O. Box 456  
Jefferson City, Missouri 65102-0456

and

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102

3. That this order shall become effective November 2, 1998.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Regulatory  
Law Judge, by delegation of authority  
pursuant to 4 CSR 240-2.120(1),  
(November 30, 1995) and Section 386.240,  
RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 23rd day of October, 1998.

RECEIVED

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION