

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 22nd
day of July, 1999.

In the Matter of the Joint Application of the)
City of Fulton and Callaway Electric Coopera-)
tive Changing Electric Provider from Callaway) Case No. EO-99-402
Electric Cooperative to the City of Fulton and)
Changing Electric Provider from the City of)
Fulton to the Callaway Electric Cooperative.)

ORDER SETTING LOCAL PUBLIC HEARING

On March 23, 1999, the City of Fulton and Callaway Electric Cooperative (Applicants) filed their joint application for Commission authority to change electric service provider as to certain customers of each Applicant. The number of affected customers of the two suppliers is alleged to be 180. On March 24, 1999, the Commission issued a notice of deficiency, noting that the joint application and its appendices lacked a certification that the same had been served upon the Public Counsel as required by Section 386.710.2, RSMo 1994. The Applicants filed their certificate of service on March 26, 1999, correcting that deficiency.

On May 20, 1999, the Commission directed the Staff of the Missouri Public Service Commission (Staff) to investigate the circumstances set out in the joint application and to make a written report to the Commission, including a recommendation as to whether or not the joint application should be granted, on or before June 21, 1999. The Staff

Memorandum was filed on June 17, 1999. In its Memorandum, Staff stated that 30 residents of Hawk Lake Subdivision had submitted a petition "expressing their objection to the proposed change of electric supplier."

On May 25, 1999, the Commission issued its Order Directing Notice, giving proper parties until June 14, 1999, to file their applications to intervene. On that day, an association of 14 persons, the Bartley Lane Intervenors, applied through counsel to intervene. These persons asserted in their application that they live on Bartley Lane in Callaway County, Missouri, outside the limits of the City of Fulton; that their electric supplier is the City of Fulton; that the Applicants propose to change their supplier to Callaway Electric Cooperative; and that they oppose the application insofar as it affects them. On June 29, 1999, the Bartley Lane Intervenors were permitted to intervene herein.

In order to facilitate the receipt of public comment regarding the proposed change of electric suppliers, and in view of the opposition expressed by some of the affected consumers, the Commission will set a local public hearing.

IT IS THEREFORE ORDERED:

1. That a local public hearing shall be held on Tuesday, September 7, 1999, between the hours of 6:00 p.m. and 8:00 p.m., at William Woods University, Burton Building, Room 100, 200 West Twelfth Street, Fulton, Missouri.

2. That the City of Fulton and Callaway Electric Cooperative shall notify, by letter or billing insert, each of its affected customers

of the time and place of the local public hearing at least ten (10) days prior to the date thereof.

3. That anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least five (5) days before the local public hearing at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

4. That this order shall become effective on August 3, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray, and Schemenauer, CC., concur.

Thompson, Deputy Chief Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION