

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).

Empire and White River are necessary parties to this proceeding and will be made parties. The Records Department of the Commission shall send a copy of this order with a copy of the application attached to Empire and to White River as well as to the Commission's Counsel and to the Office of the Public Counsel.

The Application does not provide a sufficiently detailed reason to support the change in electric supplier. A change in electric supplier must be in the public interest and for a reason other than a rate differential. Section 394.315, RSMo 1994. The Applicant will be directed to file a sworn and notarized statement providing a detailed reason or reasons supporting the change in electric supplier that demonstrates why a change would be in the public interest for a reason other than a rate differential.

Empire and White River will be directed to file responses to the application, or, in lieu of a response, verified statements may be filed indicating whether the companies agree to the change of electric supplier.

The Staff of the Commission will be directed to file a recommendation regarding the application for a change of electric supplier.

Anyone else wishing to intervene must submit an application to intervene to:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102.

Copies of any application to intervene should be sent to all parties as described in this order.

IT IS THEREFORE ORDERED:

1. That the White River Valley Electric Cooperative, Inc., and The Empire District Electric Company are made parties to this case.

2. That the Records Department of the Missouri Public Service Commission shall send this order with a copy of the application attached to the Commission's Staff, to the Office of the Public Counsel and to the parties below:

The Empire District Electric Company
602 Joplin Street
Post Office Box 127
Joplin, Missouri 64802

White River Valley Electric Cooperative, Inc.
Post Office Box 960
Branson, Missouri 65615

3. That any interested party wishing to intervene in this case shall file an application to do so no later than December 27, 1999. Such applications shall be filed with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies shall be served upon the parties as set forth herein.

4. That Jack Hearrell shall file a sworn and notarized written statement (affidavit) providing a detailed reason or reasons supporting the change in electric supplier that demonstrates why a

change would be in the public interest for a reason other than a rate differential. Mr. Hearrell shall file the affidavit and 14 copies with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and shall also mail copies to each of the parties as set forth herein. The letter shall be filed no later than December 27, 1999.

5. That White River Valley Electric Cooperative, Inc., and The Empire District Electric Company shall file responses to the application, or, in lieu of a response, shall file verified statements indicating whether the companies agree to the change of electric supplier no later than January 10, 2000.

6. That the Staff of the Commission shall file a memorandum advising either approval or rejection of the application and the reasons therefor no later than January 24, 2000. If this matter is not complete for the Staff's consideration the Staff shall file a motion in lieu of a recommendation as necessary and appropriate.

7. That this order shall become effective on December 10, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Keith Thornburg, 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 10th day of December, 1999.