

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 September, 1993.

In the matter of Sho-Me Power Corporation's conversion)
from a Chapter 351 corporation to a Chapter 394 rural) Case No. EO-92-229
electric cooperative.)
)

ORDER DENYING REHEARING

On March 8, 1993, Sho-Me Power Corporation (Sho-Me) filed a Motion For Rehearing of the Commission's Report And Order in this case dated February 24, 1993, and effective March 9, 1993. Sho-Me states therein that the Report And Order is unlawful and unreasonable. On February 26, 1993, the Commission issued its Order Staying Ordered Paragraph And Establishing A Hearing. This order specifically stayed the Ordered Paragraph No. 4 of the Report And Order which directed the Commission's Staff's General Counsel to file an action in circuit court to recover the maximum penalty or penalties pursuant to the provisions of Sections 386.570, 386.590, and 386.600, R.S.Mo. 1986, for Sho-Me's violation of Sections 393.190(1) and 393.250(1), R.S.Mo. 1986.

On March 8, 1993, Sho-Me also filed its Application, In the matter of Sho-Me's conversion from a Chapter 351 corporation to a Chapter 394 rural electric cooperative, in Case No. EO-93-259, requesting that the Commission find that it has no jurisdiction over the decision by Sho-Me to convert to a rural electric cooperative subject to Chapter 394, R.S.Mo. 1986, or, in the alternative, if the Commission finds that it has jurisdiction over Sho-Me's conversion to a rural electric cooperative, to grant its permission and approval. On September 17, 1993, the Commission issued its Report And Order in Case No. EO-93-259 which found, in affirming its Findings and Conclusions of Law in Case No. EO-92-229, herein, that the Commission has jurisdiction over Sho-Me to

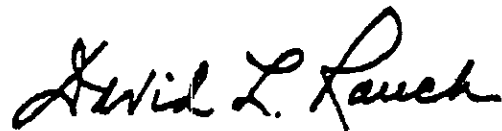
determine whether or not it should grant and approve Sho-Me's conversion to a Chapter 394 rural electric cooperative.

Having considered this Motion and the arguments in lieu of its Findings and Conclusions of Law in Case No. EO-93-259, the Commission determines, pursuant to Section 386.500, R.S.Mo. 1986, that Sho-Me has not offered sufficient reasons for rehearing. The Commission, therefore, determines that the Motion For Rehearing should be denied. The Commission further determines that the order staying its Ordered Paragraph No. 4 of its Report And Order herein should be made final.

IT IS THEREFORE ORDERED:

1. That the Motion filed by Sho-Me Power Corporation for rehearing of the Report And Order issued by the Commission in this case on February 24, 1993, be hereby denied.
2. That the order issued on February 26, 1993, staying the operation of Ordered Paragraph No. 4 of its Report And Order issued herein on February 24, 1993, be hereby made final.
3. That this order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
Kincheloe and Crumpton, CC., concur.