

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 16th
day of April, 1993.

In the matter of Sho-Me Power Electric)
Cooperative's conversion from a Chapter)
351 corporation to a Chapter 394 rural)
electric cooperative.)

Case No. EO-93-259

ORDER GRANTING INTERVENTIONS AND SETTING HEARING

On March 8, 1993, Sho-Me Power Cooperative (Sho-Me) filed an application 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 RSMo, or in the alternative, if the Commission finds it has jurisdiction over Sho-Me's conversion to a cooperative, to grant its permission and approval to the conversion and to find that upon the conversion to a cooperative that the Commission no longer has jurisdiction over Sho-Me except to the extent that the Commission has jurisdiction over rural electric cooperatives. The Commission, on March 17, 1993, issued an order and notice establishing an intervention deadline of April 6, 1993.

On April 6, 1993, the City of Cabool (Cabool) filed a timely application to intervene. On April 8, 1993, the City of West Plains (West Plains) filed an application to intervene and a motion for leave to file an application to intervene out of time. In support of its motion, West Plains asserts that it only recently learned about this proceeding and the order and notice issued on March 17, 1993. West Plains further asserts that it operates a municipally-owned utility and purchases power from Sho-Me and, therefore, has an interest in this proceeding which cannot be protected by other parties.

The Commission finds that Cabool's application to intervene states an interest sufficient to support its application to intervene and herein grants same. The Commission further finds that West Plains' motion for leave to file an application to intervene out of time should be granted, as it will not prejudice the other parties or delay the proceedings. The Commission further finds that West Plains' application to intervene states an interest sufficient

to support its application to intervene and herein grants same.

Furthermore, to expedite this proceeding, the Commission determines that an evidentiary hearing should be held in this matter on May 18, 1993. At that time the parties may present evidence to support their positions. The Commission will not require prefiled testimony, but will permit direct examination of witnesses at the hearing. A prehearing conference concerning this proceeding will be held May 11, 1993 in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri, commencing at 10:00 a.m..

IT IS THEREFORE ORDERED:

1. That the application to intervene filed by the City of Cabool on April 6, 1993, be, and is, hereby granted.

2. That the motion to file an application to intervene out of time and the application to intervene filed by the City of West Plains on April 8, 1993 be, and are, hereby granted.

3. That a prehearing conference is to be held on May 11, 1993, commencing at 10:00 a.m., in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

4. That an evidentiary hearing is to be held on May 18, 1993, commencing at 10:00 a.m., in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

5. That this order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Rauch, Perkins
and Kincheloe, CC., Concur.
Mueller, C., Absent.