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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 29th
day of October, 1997.

In the Matter of the Joint Application of)
Osage Valley Electric Cooperative)
Association and City of Butler, Missouri,)
for an Order Allowing a Change of Retail) Case No. EO-98-74
Electric Energy Suppliers to a Commercial)
Service Located in the City of Butler,)
Missouri.)

**ORDER APPROVING APPLICATION FOR CHANGE
OF ELECTRIC SERVICE PROVIDER**

On August 18, 1997, Osage Valley Electric Cooperative (Osage or Cooperative) and the City of Butler, Missouri (City) filed a Joint Application for an order authorizing a change of electric suppliers to a commercial customer¹. Currently, Osage provides electrical service to the customer. Applicants seeks an order from the Commission authorizing the City to provide electrical service to the customer rather than Osage.

On September 9 the Staff of the Missouri Public Service Commission (Staff) filed a memorandum to the official case file. Staff states that at the time the service to the Pizza Hut commenced the structure was located outside the city limits and that the location has been annexed into the City. Staff states that other commercial establishments have located in the vicinity and are served by the City.

Currently there are plans to construct another commercial establishment in the vicinity of the Pizza Hut structure. If the

¹ The customer is a Pizza Hut restaurant located in Butler, Missouri.

Cooperative continues to be Pizza Hut's electrical supplier, then the City will have to build facilities around or by the facilities of the Cooperative which facilities currently serve the Pizza Hut. Staff maintains that the proposed change of electrical suppliers is in the public interest for a reason other than a rate differential because it will allow the City to serve the new business without duplication of electric facilities owned by Osage. Staff recommends that the Commission approve the joint application.

The standard for approval of an application for a change of electrical service supplier is whether the change is in the public interest for a reason other than a rate differential. Section 394.315.2 RSMo.² Based on the application and Staff's memorandum the Commission determines that approval of the joint application is in the public interest and it shall be approved.

IT IS THEREFORE ORDERED:

1. That the Joint Application filed on August 18, 1997, by Osage Valley Electric Cooperative Association, a Missouri corporation, and the City of Butler, Missouri, is approved.

2. That Osage Valley Electric Cooperative Association, a Missouri corporation, and the City of Butler, Missouri, are authorized to take necessary action to change Pizza Hut's electric service provider from Osage Valley Electric Cooperative to the City of Butler, Missouri.

²All statutory references are to the Revised Statutes of Missouri, 1994, unless otherwise indicated.

3. That this order shall become effective on November 12, 1997.

BY THE COMMISSION

A handwritten signature in cursive script, appearing to read "Cecil I. Wright", written in dark ink.

Cecil I. Wright
Executive Secretary

(S E A L)

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

Luckenbill, Deputy Chief Regulatory Law Judge