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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 9th
day of September, 1997.

In the Matter of the Application of)
Jim Yetter for a Change in Electric)
Supplier.)
CASE NO. EO-97-279

ORDER DISMISSING APPLICATION FOR CHANGE OF SUPPLIER

On January 16, 1997, the Applicant, Mr. Jim Yetter, of 14597 Hammer Road, Neosho, Missouri, filed an application for a change of supplier, alleging a safety matter involving crossed wires, high voltage coming into his house, and dissatisfaction with rates. Service is currently being provided to the Applicant by New-Mac Electric Cooperative, Inc. (New-Mac). Applicant requests that the Commission authorize a change of electric supplier from New-Mac to The Empire District Electric Company (EDE). EDE filed its response and stated that it had facilities near the Applicant's residence and would be willing to provide service to the Applicant should the Commission so desire.

New-Mac filed its response to the application on March 3, 1997, and a Motion to Dismiss on May 27, 1997. In that motion, New-Mac states that, based on a deposition taken by New-Mac from the Applicant, it is clear that no grounds exist for the Commission to order a change of supplier.

On June 6, 1997, the Staff of the Commission completed its investigation and filed its response to the New-Mac Motion to Dismiss. In that response the Staff states that the safety problem, involving an EDE

line hanging above the road next to the Applicant's property, has been fixed. Further, only one electrical outage has taken place within the past six months and New-Mac was not responsible for that outage. Finally, the Staff points out that the Commission may not order a change of supplier based on rates but notes that the Applicant's rates have declined because the Applicant is now on an all-electric rate schedule. Finally, the Staff confirms that New-Mac has taken voltage readings at the Applicant's house and found those readings to be normal. The Staff states that no evidence exists to support the Applicant's contention that excess voltage is entering his house.

The Commission has reviewed the application, accompanying documents, various responses and motions, and the text of the deposition of the Applicant, and concludes that there remains no question of fact upon which to proceed and therefore no basis upon which to order a change of supplier. The Commission may not order a change of supplier based solely on a differential rate. The Commission finds no need to proceed with an evidentiary hearing and will, therefore, dismiss this application.

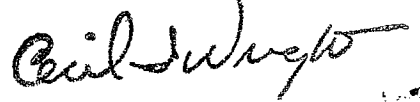
IT IS THEREFORE ORDERED:

1. That the application for change of supplier, filed January 16, 1997, is dismissed for reasons as set out above.

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2. That this order shall become effective on September 19, 1997.

BY THE COMMISSION

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

**Cecil I. Wright
Executive Secretary**

(S E A L)

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

ALJ: Derque