

CERTIFIED COPY OF COUNTY COURT ORDER

STATE OF MISSOURI

COUNTY OF CLAY

November 1, 1923

In the County Court of said county, on the 10th day of December, 1923, the following, among other proceedings, were had to-wit:

Missouri Gas and Electric Service Company
R/W for Electric Lines;

Has come the Missouri Gas and Electric Service Company, a corporation, licensed to transmit electricity in the State of Missouri, and petitions the county court for authority to erect poles for the transmission of light and power wires, telegraph and telephone wires, and to lay and maintain pipe conductor wires and along, under and across the public roads and highways of Clay County, Missouri, and to convey and transmit electric energy, power and current, alone and over said wires.

(a) That the petitioners be and are authorized to erect poles for the transmission of light and power wires, telegraph and telephone wires, and to lay and maintain pipe conductor wires and along, under and across the public roads and highways of Clay County, Missouri, and to convey and transmit electric energy, power and current, alone and over said wires.

(b) That the petitioners be and are authorized to erect poles for the transmission of light and power wires, telegraph and telephone wires, and to lay and maintain pipe conductor wires and along, under and across the public roads and highways of Clay County, Missouri, and to convey and transmit electric energy, power and current, alone and over said wires.

(c) Provided always that said conductors shall not be so laid as to interfere with the ordinary and usual use of the public roads, highways and structures in Clay County, Missouri, and shall be subject to the directions and orders of the Highway Engineer, Commissioners, or other public officers having charge of such roads, highways and structures.

(d) And provided further, that the petitioner will at all times and under all circumstances pay any and all damages that may accrue by reason of the granting of this permit, and will save Clay County harmless from any damages, cost or expense thereof.

CERTIFIED COPY OF COUNTY COURT ORDER

STATE OF MISSOURI

COUNTY OF PLATTE

SS.

November Adjourned Term, 1928.

In the County Court of said County, on the 2nd day of December, 1928, the following, among other proceedings, were had, viz:

Now comes the Missouri Gas and Electric Service Company, a corporation licensed to transact business in the State of Missouri, and petitions the County Court for permission to erect poles for the suspension of light and power wires, telephone and telegraph wires and to lay and maintain pipe, conductor wires and conduits through, on, along under and across the public roads and highways of Platte County, subject to the supervision of the Highway Engineer, and now the above matter coming on to be heard and the court deeming that electrical transmission lines are a public benefit, to the citizens of this county, it is therefore ordered:

(a) That the prayer of said petitioners be and is hereby granted.

(b) That the petitioner is hereby permitted and authorized to erect poles for the suspension of light and power wires, telephone and telegraph wires, and to lay and maintain pipe, conductor wires and conduits through, on, along, under and across the public roads and highways of Platte County, Missouri, and to convey and transmit electrical energy, power and current, along and over said wires.

(c) Provided always that said conduits shall not be so laid or said poles so erected or said wires so suspended as to interfere with the ordinary and usual use of the public roads, highways and structures in Platte County, Missouri, and shall always be subject to the directions and orders of the Highway Engineer, Commissioners, or other public officers having charge of such roads, highways and structures.

(d) And provided further, that the petitioner will, at all times, and under all circumstances pay any and all damages that may accrue by reason of the granting of this permit, and will save Platte County harmless from any damage, cost or expense thereof.

MISSOURI GAS AND ELECTRIC SERVICE COMPANY

LIST OF PUBLIC UTILITIES MENTIONED IN PARAGRAPH 3 OF THIS APPLICATION

Kansas City Power and Light Company	Kansas City, Mo.
Missouri Power and Light Company	Kansas City, Mo.
Missouri Public Service Company	Warrensburg, Mo.
St. Joseph, Ry. Light, Heat & Power Co.	St. Joseph, Mo.
Atchison, Topeka and Santa Fe Ry. Co.	Kansas City, Mo.
Wabash Ry. Co.	St. Louis, Mo.
Missouri Pacific Ry. Co.	St. Louis, Mo.
Chicago Great Western Ry. Co.	Chicago, Ill.
Chicago, Burlington and Quincy Ry. Co.	St. Joseph, Mo.
Chicago, Rock Island and Pacific Ry. Co.	Topeka, Kansas
Chicago, Milwaukee, St. Paul and Pac. Ry. Co.	Chicago, Ill.
Quincy, Omaha and Kansas City Ry. Co.	South Chicago, Ill.
Clay County and St. Joseph Ry. Co.	Kansas City, Mo.
Western Union Telegraph Co.	Omaha, Nebraska
American Telegraph and Telephone Co.	St. Louis, Mo.
Southwestern Bell Telephone Co.	St. Louis, Mo.
Central Missouri Telephone Co.	Warrensburg, Mo.
United Telephone Co.	Kansas City, Mo.
North Side Telephone Co.	Parkville, Mo.
Lindley Telephone Co.	Camden Point, Mo.
Stat., Rockingham and Norborne Tele. Co.	John H. Hoover R.R. #2, Norborne, Mo.
Exorville Telephone Co.	R.S. Swafford R.R. #1 Rayville, Mo.
Regal Telephone Co.	H.M. Penny Raymer, Mo.
Camden Point Telephone Co.	W. A. Dinney Camden Point, Mo.
Farley Telephone Co.	Farley, Mo.
Postal Telegraph Co.	St. Louis, Mo.

Pratt & Sons, Ltd.
Great Eastern Road Line Co.
Citizens Service Ship Line Co.

Yarwood City, Mo.
Yarwood City, Mo.
Yarwood City, Mo.

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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

* * * * *

In the matter of the application of the
Missouri Gas and Electric Service Company
for an order authorizing it to construct,
maintain and operate electric transmission
lines in the Counties of Lafayette, Ray,
Carroll, Clay, Clinton, Platte and Buchanan,
all in the State of Missouri.

* * * * *

CASE NO. 2638.

REPORT AND ORDER

This case is before the Commission upon the application of the Missouri Gas & Electric Service Company of Lexington, Missouri, hereinafter referred to as the applicant, for an order of the Commission granting said applicant a certificate of convenience and necessity to construct, maintain and operate electric transmission and power lines as the needs and convenience of the public may require and as business conditions may warrant in the territory described in its petition, that territory being a part of the Counties of Lafayette, Ray, Carroll, Clay, Clinton, Platte, and Buchanan, in the State of Missouri, said territory being more fully hereinafter described.

This case was heard by the Commission on the 2nd day of February, 1904, at which time and place all interested parties were given an opportunity to be heard.

The applicant has furnished to the Commission the names of all the railroad, telegraph and telephone companies whose lines are located within the area in which the applicant desires to operate and the names of all the electric utility companies that are operating in the territory adjacent to the territory for which a certificate is sought by the applicant. Notice of hearing was given to all of the interested companies and notice was also given to the county clerks of the various counties heretofore named.

The applicant shows by the blue print accompanying its application that the St. Joseph Railway, Light, Heat & Power Company has an electric transmission line extending into the territory which the applicant proposes to serve. By authority of the Commission that line was constructed for the special purpose of furnishing power service to a pumping station located on the pipe line of the Great Lakes Pipe Line Company. That pumping station is located in Section 3, Township 23-N, Range 32-W. It was constructed for that particular purpose and was not authorized for use in the furnishing of electric service to the public in the territory described in the applicant's petition and for which it is seeking this certificate. The matter was determined by the Commission in its order issued in Case No. 8098.

Heretofore the applicant has filed with the Commission an application for a certificate of convenience and necessity to construct each of the various extensions made to its system. Some of these extensions are very short distances, to serve one or two customers, while others are greater in length as conditions may require. The applicant seeks to avoid the necessity of appearing before the Commission each time it desires to extend electric lines in territory now served by it or into territory it proposes to serve by this application.

In what appears to be anticipation of objections that may be made by other public utilities to the granting of the authority herein sought, the applicant states that, "before the construction of any particular extension, in which any public utility might be concerned, such public utility and/or public utilities will be notified and given an opportunity to co-operate with the applicant, and in the event of a disagreement between your petitioner and any such public utility and/or public utilities so concerned, your petitioner will give such public utility and/or public utilities an opportunity to refer the matter in dispute to this Commission for its determination."

The applicant proposes to extend its electric service to new customers, districts or territories as the demands of business may warrant and agrees to make such extensions in conformity with its rules and regulations which may be on file from time to time with the Commission and in effect.

The applicant further states that it will notify the State Highway Commission before constructing any line along a State Highway and secure authority as may be required by law.

The application shows that there are no municipally owned electric plants in operation in the territory the applicant seeks to cover in this action.

The answers filed by some of the interested parties in this case, as well as the testimony given at the hearing, show that there are no serious objections by the railroad and signal companies to the granting of the authority herein sought. The Missouri Pacific Railroad Company appeared and requested that the testimony taken in the case similar to this action brought by the Kansas City Power & Light Company before this Commission, docketed as Case No. 5560, be considered by reference as a part of the record in this case. It appears that the railroad and signal companies and other interested parties are anxious that the Commission shall require that the applicant construct its lines in conformity with the National Electrical Safety Code and the general orders of this Commission and that they be given proper notice of any proposed construction or major changes in the lines of the company before the actual work is to be done in order to enable these companies to determine what action they may desire to take in the matter before the construction is begun. We believe that the position they take is not unreasonable and that the applicant should construct its lines in conformity therewith; the manner of such construction and procedure will be set forth in the order following.

In conformity with the expressed plan of the Commission, that is, to designate the territory that a dependable utility may be reasonably expected to serve, it appears that the certificate sought by the applicant herein should be granted, reserving for the St. Joseph Railway, Light, Heat & Power Company the furnishing of the service to the Great Lakes Pipe Line Company at the locality hereinbefore designated.

It is, therefore,

ORDERED: 1. That the applicant be and is hereby granted authority to construct, reconstruct, locate, relocate, maintain and operate electric transmission lines along and across the highways of the Counties of Lafayette, Ray, Carroll, Clay, Clinton, Platte and Buchanan, and along such other routes as may be properly designated, with authority to serve all persons in the area for which this certificate is granted, such area being more fully described by the blue print filed herein, and marked Applicant's Exhibit "A", with the exception that the authority heretofore granted the St. Joseph Railway, Light, Heat & Power Company by the Commission in its order issued in Case No. 5028 shall not be changed by any order issued herein; the aforesaid blue print is hereby referred to and made a part hereof.

ORDERED: 2. That said electric transmission and power lines and all equipment connected therewith shall be constructed so as to conform to the ancillary rules and regulations contained in the National Electrical Safety Code, issued by the United States Bureau of Standards, and where said transmission lines cross the tracks of any railroad company, said crossing shall be constructed so as to conform to the specific rules and regulations contained in the Commission's General Order No. 34, issued August 17, 1924. Furthermore, that said applicant herein shall maintain and operate said transmission lines and all equipment connected therewith in a safe and reliable manner and so construct and maintain the same as not to endanger the safety of the public or to interfere unreasonably with the service

of other aerial lines, and shall give reasonable notice to any other utility whose service might be affected by any proposed construction or change; and that the Commission fully retain jurisdiction of the parties and the subject-matter of this proceeding, on the evidence now before the Commission, for the purpose of making such further order or orders as may be necessary.

ORDERED: 3. Wherever said transmission lines may or do parallel aerial lines belonging to or operated by other companies or individuals or cross such line or lines or come in close proximity thereto so as to cause induction or other electrical interference, thereby making necessary changes in said line or lines or in the said line or lines of the applicant for the general benefit and safety of the public, the expense, if any accrued in making such changes, shall be determined by an agreement between the parties operating such lines and the applicant, and in case of failure of the parties to reach such agreement in settlement thereof, the matter may be submitted to the Public Service Commission for arbitration and determination as provided for in Section 118 of the Original Act creating the Public Service Commission of this State, now Section 3241 of the Revised Statutes of Missouri for 1929.

ORDERED: 4. That before beginning the construction of any electrical power and transmission line in the territory herein designated and before a change is made in the location, phase or voltage of any electric line that may be in operation, the applicant shall give all other utilities affected by such change or construction at least fifteen days' written notice, showing in sufficient detail what the proposed construction or change will be to enable competent representatives of those utilities to determine what action the particular utility or utilities may desire to take in reference thereto.

ORDERED: 5. That this order shall take effect ten days after the date hereof, and that the Secretary of the Commission shall

forthwith serve on all parties interested herein, a certified copy of this report and order and that the applicant and all other interested parties shall notify the Commission before the effective date of this report and order, in the manner prescribed by Section 35 of the Public Service Commission Law, whether the terms of this order are accepted and will be obeyed.

(SEAL)

BY THE COMMISSION,

Robert E. Holliday
ROBERT E. HOLLIDAY,
Secretary.

Collet. Chas. Stoecker, Anderson
and McPherson, CC, Concur. English,
C. Absent.

Dated at Jefferson City, Missouri,
this 15th day of February, 1934.