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October 20, 1998

**FILED**  
OCT 20 1998  
Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

EA-99-172

**RE: Application of The Empire District Electric Company for Certificate of  
Public Convenience and Necessity in Portions of Greene County, Missouri**

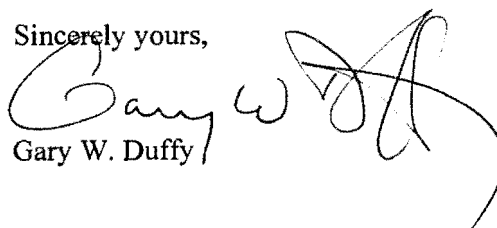
Dear Mr. Roberts:

Enclosed for filing with your office please find an original and fourteen copies of a verified application by The Empire District Electric Company for a certificate of public convenience and necessity in portions of Greene County, Missouri.

If there are any questions about this, please let me know.

Sincerely yours,

Gary W. Duffy



Enclosures  
cc w/enclosures:  
Office of Public Counsel

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

**FILED**

OCT 20 1998

Missouri Public  
Service Commission

Case No. EA-99- 172

In the matter of the application of The Empire )  
District Electric Company for a certificate of public )  
convenience and necessity authorizing it to )  
construct, install, own, operate, control, manage and )  
maintain an electric transmission and distribution )  
system to provide electric service in an area )  
in Greene County, Missouri. )

APPLICATION

Comes now The Empire District Electric Company ("Empire" or "Applicant"), by and through its counsel, and for its application pursuant to Section 393.170 RSMo and 4 CSR 240-2.060 for a certificate of public convenience and necessity, respectfully states as follows:

1. Applicant is The Empire District Electric Company. Its principal office is located at 602 Joplin Street, Joplin, Missouri 64802.

2. Empire is a corporation duly incorporated under the laws of the state of Kansas and is qualified to do business as a foreign corporation in Missouri. It also conducts business in the states of Kansas, Arkansas and Oklahoma and is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric power and energy in portions of said states. Empire also provides retail water service in a portion of Missouri. Empire's Missouri operations related to the provision of retail electric and water service are subject to the jurisdiction of the Commission as provided by law.

3. All correspondence, communications, notices, order and decisions of the Commission with respect to this matter should be sent to:

Mike Palmer, Director of Commercial Operations  
Branson/Aurora District

The Empire District Electric Company  
215 West Main St.  
Branson, MO 65616  
Tel: 417 334-3174  
Fax: 417 334-3204

Gary W. Duffy, Attorney at Law  
Brydon, Swearengen & England P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456  
Tel: 573 635-7166  
Fax: 573 635-3847

4. A certified copy of Empire's Restated Articles of Incorporation, as amended, was filed in Case No. EF-94-39 and is incorporated herein by reference and made a part hereof. A certificate from the Missouri Secretary of State that Empire is authorized to do business in Missouri is attached hereto and marked as Appendix A.

5. Empire currently has certificates of convenience and necessity from the Commission in portions of Greene County, Missouri, having obtained those certificates at various intervals since 1927. Commission cases in which certificates have been granted to Empire in Greene County include Case Nos. 5189 in 1927; 6345 in 1929; 9420 in 1937; 9645 in 1939; 13,885 in 1959; 14,980 in 1962; 15,825 in 1965; 16,158 in 1967; 16,273 in 1967; 16381 in 1968; 17,504 in 1972 and 1973; and EA-86-144 in 1988.

6. Empire is the franchised electric supplier in the City of Republic, Missouri, which is located in Greene County. The City of Republic has extended its current city limits in an eastward direction which has moved the municipal boundaries into an area which extends beyond the boundaries of Empire's existing certificated area. Since Empire is the franchised electric supplier in Republic, Empire wishes to obtain an order from the Commission which will allow it to extend

the boundaries of its certificated area to be able to enjoy the benefits of its franchise to its full extent. Empire also wishes to provide service to an area southwest of Strafford in Greene County which is experiencing growth, and to provide service in new areas to the north, east, west, and southwest of Springfield which are also experiencing growth. All of these other areas would be extensions of existing certificated areas of Empire.

7. Attached hereto and marked as Appendix B is a five page detailed map of the location of the proposed service area in Greene County, depicting both the existing and proposed boundaries, and also showing proposed construction of electric lines during the first three years of operations in the areas designated as "A-Republic", "B-Willard", "C-Strafford" and "D-Christian/Greene County Line".

8. Attached hereto and marked as Appendix C is a metes and bounds description of the proposed boundary of Empire's certificated area in Greene County.

9. Electric service is provided in some portions of the proposed new area by City Utilities of Springfield, Ozark Electric Cooperative, Southwest Electric Cooperative, and Webster Electric Cooperative. None of those entities have their rates or quality of electric service regulated by the Commission.

10. Applicant will not require any additional franchises or permits from municipalities, counties, or other authorities in connection with the proposed construction other than the usual and customary state highway, railroad and county road permits which will be obtained prior to construction. No other applications are required to be filed with any other state or regulatory body.

11. Applicant's existing rates and regulations for electric service contained in its tariff, as the same may be allowed to change from time to time pursuant to law, will apply to service in the

proposed area.

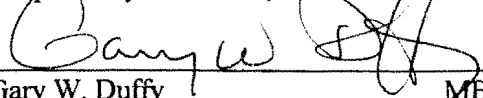
12. Attached hereto and marked as Appendix D is a summary of the plans and specifications for the project including the estimated cost of construction during the first three years. No particular external financing is anticipated for construction related to these areas. Construction methods will follow Empire's customary standards and the National Electrical Safety Code.

13. Attached hereto and marked as Appendix E is a list of ten persons residing in or who are landowners within the proposed service area.

14. The areas in which Empire is seeking to be certificated hereby are expected to develop and require electrical service. Service from a Commission-regulated supplier is not available in these areas at the present time. Since Empire has the ability to provide service in these areas by extending its existing facilities, Empire believes that potential new customers should be afforded the opportunity to take service from Empire if they so desire.

WHEREFORE, Applicant requests an order from the Commission granting it a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain a system for the provision of electric service to the public pursuant to its approved rates, rules and regulations, in the requested new areas of Greene County, Missouri.

Respectfully submitted,

  
\_\_\_\_\_  
Gary W. Duffy MBE #24905  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, Missouri 65102-0456  
(573) 635-7166  
(573) 635-3847 (facsimile)  
Attorneys for  
The Empire District Electric Company

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

## CORPORATION DIVISION

### CERTIFICATE OF CORPORATE GOOD STANDING - FOREIGN CORPORATION

I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE AND IN MY CARE AND CUSTODY REVEAL THAT

THE EMPIRE DISTRICT ELECTRIC COMPANY

USING IN MISSOURI THE NAME

THE EMPIRE DISTRICT ELECTRIC COMPANY

A KANSAS CORPORATION FILED ITS EVIDENCE OF INCORPORATION WITH THIS STATE ON THE 25TH DAY OF OCTOBER, 1909, AND IS IN GOOD STANDING, HAVING FULLY COMPLIED WITH ALL REQUIREMENTS OF THIS OFFICE.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 16TH DAY OF OCTOBER, 1998.

  
Secretary of State



## APPENDIX C

Page 1 of 12

### LEGAL DESCRIPTION

In addition to areas currently certificated in Greene County, Missouri, all of Greene County, except the area enclosed with-in the following legal description:

Beginning at a point on the Greene/Christian County line at the Southeast corner of Section 27, Township 28, Range 21, thence North 2 miles more or less to the Northeast corner of Section 22, Township 28, Range 21. Thence East 5 miles more or less to the Northeast corner of Section 21, Township 28, Range 20. Thence South 2 miles more or less to the Southwest corner of Section 27, Township 28, Range 20, on the Greene/Christian County line. Thence East along the county line 3 miles more or less to the Southeast corner of Section 25, Township 28, Range 20 (the Southeast corner of Greene County). Thence North along the East line of Greene County 9 miles more or less to the Southeast corner of Section 12, Township 29, Range 20. Thence West 7 miles more or less to the Southeast corner of Section 11, Township 29, Range 21. Thence North 3 miles more or less to a point on the East line of Section 2, Township 29, Range 21, 2640 feet South of the Northeast corner of said Section 2. Thence West 1 mile to the West line of Section 2, Township 29, Range 21, 2640 feet South of the Northwest corner of said Section 2. Thence North 8 1/2 miles more or less to the Northeast corner of Section 26, Township 31, Range 21. Thence West 9 miles more or less to the Northwest corner of Section 28, Township 31, Range 22. Thence South 8 miles more or less to the Southeast corner of Section 32, Township 30, Range 22. Thence continue due South 2640 feet more or less to a point in Section 6, Township 29, Range 22. Thence West 2 1/4 miles more or less to a point in Section 2, Township 29, Range 23, 2640 feet more or less South of the North line and 2640 feet more or less West of the East line of said Section 2. Thence South 3 1/2 miles to a point in Section 14, Township 29, Range 23, 2640 feet more or less South of the North line and 2640 feet more or less West of the East line of said Section 14. Thence East 1 mile more or less to a point in Section 13, Township 29, Range 23, 2640 feet South of the North line and 2640 feet West of the East line of said Section 13. Thence South 2 miles more or less to a point in Section 25, Township 29, Range 23, 2640 feet South of the North line and 2640 feet West of the East line of said Section 25. Thence East 2 miles more or less to a point in Section 29, Township 29, Range 22, 2640 feet South of the North line and 2640 feet West of the East line of said Section 29. Thence South 5 1/2 miles more or less to a point along the South line of Section 20, Township 28, Range 22, 2640 feet more or less West of the East line of said Section 20. Thence East 4 1/2 miles more or less to the Northeast corner of Section 25, Township 28, Range 22. Thence South 1 mile more or less to the Southeast corner of Section 25, Township 28, Range 22, on the Greene/Christian County line. Thence East 4 miles more or less along the County line to the point of beginning.

Also, except the areas inside the corporate limits of the City of Brookline and the City of Battlefield, described as follows:

**APPENDIX C**

Page 2 of 12

**The original corporate boundary of the City of Battlefield is described as follows:**

**By court order of the County Court of Greene County, Missouri**

**Dated May 13, 1970**

Now on this day come the petitioners for the Incorporation of the Town of Battlefield, Missouri, and present their petition to the County Court of Greene County, Missouri, for the Incorporation of the Town of Battlefield, Missouri:

Beginning at the SE cor. of the NW1/4 of the SE1/4 of S20, T28N, R22W; thence W to a point 300' E of West Line of the SW1/4 of the SE1/4 of S20, T28N, R22W; thence S to a point 300' S of the South Line of Azalea Terrace; thence W to the W Line of Section 29, T28N, R22W; thence N to a point 300' N of the SE corner of the NE1/4 of the SE1/4 of S19, T28N, R22W; thence W to a point 429' W of the E Line of the NE1/4 of the SW1/4 of S19, T28N, R22W; thence N to a point 300' S of the N Line of the NE1/4 of the SW1/4 of Section 19, T28N, R22W; thence W to a point 500' W of the E Line of the NW1/4 of the SW1/4 of S19, T28N, R22W; thence N to the N Line of the SW1/4 of the NW1/4 of S19, T28N, R22W; thence E to a point 450' W of the NE corner of the SW1/4 of the NE1/4 of S19, T28N, R22W; thence N to a point 300' N of Weaver Road; thence Southeasterly parallel to Weaver Road to a point 500' E of the W Line of the SW1/4 of the SE1/4 of S17, T28N, R22W; thence S to the N Line of the SW1/4 of the NE1/4 of S20, T28N, R22W, thence E to the NE corner of the SW1/4 of the NE1/4 of S20, T28N, R22W; thence S to the point of beginning.

Petitioners further pray that they be Incorporated as a Village under a Police established for their local government.

Petitioners further state that the attached signatures constitute a two-thirds (2/3) majority of the taxable inhabitants of such of the Village of Battlefield, as it is described in the above metes and bounds.

It is hereby Ordered by the County Court that the Town of Battlefield be incorporated with the above metes and bounds being the boundary of the town.

**Also included in the Corporate Boundaries of the City of Battlefield are the following Eight (8) Annexations as dated and described:**



**APPENDIX C**

Page 3 of 12

**City of Battlefield- Cont'd**

**ANNEXATION 1 -- Dated February 11, 1980**

**LEGAL DESCRIPTION**

All of the West Half (W1/2) of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 20, Township 28, Range 22, containing five acres more or less, in Greene County, Missouri.

**APPENDIX C**

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**City of Battlefield - Cont'd**

**ANNEXATION 2 -- Dated December 20, 1988**

**LEGAL DESCRIPTION**

Beginning at the Northwest corner of Section 29, Township 28 Range 22, thence East thirty-five feet thence Southerly along the East right of way line of supplemental State Highway FF 644.21 feet for a new beginning, being the Southwest corner of Cloverdale Addition, thence East 2624.13 feet to a pin; thence Southerly on an interior angle of 89 degrees 37 feet along the quarter Section line 680.21 feet to a pin; thence westerly 90 degrees 26 feet on an interior angle of 664.67 feet; thence Southerly on an interior angle of 269 degrees 22 feet; 661.77 feet to a pin; thence West on an interior angle of 90 degrees 46 feet along the center line of the road 1956.22 feet to a pin; thence North on an interior angle of 89 degrees 30 feet, 1347.28 feet along the right of way of Highway FF to new beginning point, containing 70.71 acres approximately; AND

All of the East Half of the Southeast Quarter of the Northwest Quarter and ten acres in a square from in the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section Twenty Nine, Township Twenty Eight, Range Twenty Two, except roads, all in Greene County, Missouri.

## **APPENDIX C**

Page 5 of 12

### **City of Battlefield - Cont'd**

#### **ANNEXATION 3 -- Dated June 18, 1996**

#### **James Brame Property Annexation**

#### **LEGAL DESCRIPTION**

All of the South 300 feet of the following: Beginning at a point 495 feet South of the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section Nineteen, Township 28, Range 22, thence West 1332 feet, thence South 836 feet, thence East 1331 feet, thence North 836 feet to the place of beginning, containing Twenty-six (26) acres, more or less in Greene County, Missouri, except the following described property: Beginning at a point 495 feet South of the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 19, Township 28, Range 22, thence West 142 feet, thence South 125 feet, thence East 142 feet, thence North 125 feet to the place of beginning. Being more particularly described as follows: Beginning at a point 1030.91 feet South and 74.11 feet West of the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 19, Township 28, Range 22, thence S 01° 25' 44" W along the West line of Hwy FF as it now exists, a distance of 300 feet: thence N 89° 08' 09" W a distance of 1225.15 feet; thence N 01° 45' 34" E, a distance of 300 feet; thence S 89° 08' 14" E, a distance of 1223.42 feet to the point of beginning, containing 8.43 acres, Greene County, Missouri. Subject to any easements or rights-of-way of record.

**APPENDIX C**

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**City of Battlefield - Cont'd**

**ANNEXATION 4 -- Dated June 18, 1996**

**Victor Keltner Property Annexation**

**LEGAL DESCRIPTION**

3597 W. Farm Road 182, 40 acres, Southeast 1/4 Northeast 1/4 of Section 20, Township 28, Range 22 .

**APPENDIX C**

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**City of Battlefield- Cont'd**

**ANNEXATION 5 -- Dated June 18, 1996**

**Larry Shell Property Annexation**

**LEGAL DESCRIPTION**

Beginning at an existing boat spike at the Southwest corner of the Southeast Quarter of Section 17, Township 28 North, Range 22 West; thence S 87°03'57" E along the South line of said Southeast Quarter a distance of 666.49 feet to the Southwest corner of the East Half of the Southwest Quarter of said Southeast Quarter, said point being the Southeast corner of Prairie View Heights Fourth Addition, a subdivision in Greene County, Missouri; thence along the Westerly property line of said Prairie View Heights Fourth Addition the following three calls: N 03°01'36" E a distance of 1,327.16 feet; S 87° 14'19" E a distance of 667.87 feet; N 03°01'43" E a distance of 337.63 feet; thence N 87°14'19" W a distance of 1336.12 feet to a point on the West line of said Southeast Quarter; thence S 02°57'39" W a distance of 337.63 feet; thence S 02°58'03" W a distance of 1325.14 feet to the point of beginning. All being in Greene County, Missouri and containing 30.13 acres. Subject to any easements and rights-of-way of record.

## **APPENDIX C**

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### **City of Battlefield- Cont'd**

#### **ANNEXATION 6 -- Dated September 24, 1996**

##### **LEGAL DESCRIPTION**

The amended plat of The Village Addition comprises a part of the SE1/4 of the SE1/4, part of the NE1/4 of the SE1/4 of Section 18 AND part of the SW1/4 of the SW1/4 of Section 17, all in Township 28 North, Range 22 West, Greene County, MO. And being more particularly described as follows: Commencing at the Northwest corner of said SE1/4, SE1/4, go East 3.00 ft. to the point of beginning; thence N2°17'45"E 165.44 ft.; thence S88°30'40" E 1160.32 ft. to the Westerly right-of-way line of Old Wire Road; thence S28° 19'30"W 134.48 ft.; thence S56°04'05"E 50.25 ft. to the Easterly right-of-way line of Old Wire Road; thence S77°04'40" E 251.38 ft. to the West right-of-way line of Missouri State Highway "FF"; thence 77°20'10"E 35.00 ft. to the centerline of said highway; thence S12°39'50"W along said centerline 407.55 ft. to the point of curve of a curve to the Southeast having a central angle of 10°54' and a radius of 818.51 ft.; thence along said curve 155.72 ft. to the point of tangency; thence S1°45'50"W along said centerline 604.50 ft. to the centerline of Weaver Road; thence N82°18'00"W along said centerline of Weaver Road 1329.06 ft.; thence N1°08'30"E 1053.40 ft. to the point of beginning, EXCEPT all of Lots 117 and 118 of The Village Addition, AND EXCEPT those lots or portions of lots located within the above described plat that are already located within the City Limits of Battlefield.

The above described property being annexed may be otherwise described as all Lots 1 through 116 and Lots 119 and 120 of the Amended Plat of The Village Addition of the City of Battlefield, Greene County, Missouri, EXCEPT those lots or portions of lots located within the above described numbered lots that are already located within the City Limits of Battlefield. Included in the property to be annexed are all of the streets and public ways within the Amended Plat of The Village Addition to the City of Battlefield.

**APPENDIX C**

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**City of Battlefield- Cont'd**

**ANNEXATION 7 -- Dated December 2, 1996**

**Daniel & Merodie Clark/James W. & Judith L. Cowherd**

**LEGAL DESCRIPTION**

All that part of the South 7/8 of the Northeast 1/4 of the Northeast 1/4 and that part of the Northwest 1/4 of the Northwest 1/4 of Section 20, T-28-N, R-22-W, lying East of the Easterly Right Of Way line of the Missouri Pacific Railroad, Green County, Missouri. All being in Greene County, Missouri. Subject to any easements and rights-of-way of record.

**APPENDIX C**

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**City of Battlefield - Cont'd**

**ANNEXATION 8 -- Dated June 12, 1997**

**LEGAL DESCRIPTION**

All of Lot 117 and Lot 118 of the Amended Plat of the Village Addition of the City of Battlefield, Greene County, Missouri;

ALSO, All of the surface roads and entire right-of-way of Missouri State Highway FF as it now exists from its intersection with Weaver Road, City of Battlefield, Missouri, thence Northerly with said surface road and right-of-way to its intersection with the North line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 18, Township 28 North, Range 22 West, Greene County, Missouri;

ALSO, all of the surface road and entire right-of-way of relocated State Highway FF in Greene County, Missouri, from a point one hundred feet North of the relocated Highway FF's intersection with the North line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 17, Township 28 North, Range 22 West in Greene County, Missouri, thence southerly and with said surface road and right-of-way to its intersection with Weaver Road, City of Battlefield, Missouri.



**APPENDIX C**

Page 11 of 12

**ORIGINAL CORPORATE BOUNDARY OF THE  
CITY OF BROOKLINE IS DESCRIBED AS FOLLOWS:**

**BY COURT ORDER OF THE COUNTY COURT OF GREENE COUNTY,  
MISSOURI  
DATED - NOVEMBER 22, 1968**

"Beginning at the NE COR. Section 2 T-28, R-23, thence South along the East Line of said Sec. 2 to the North R/W Line of U.S. Hwy. No. 60, thence Southwesterly along said R/W Line to the South Line of said Sec. 2, thence West along South Line of said Sec. 2 to the S.W. Cor. Of Sec. 2, T-28, R-23, thence North along the West Line of said Sec. 2 to the N.W. Cor. Of Sec. 2, T-28, R-23, thence East along North Line of said Sec. 2 to the point of Beg. All in Greene County, Missouri."

Also included in its Corporate Boundaries are the following two (2) Annexation's as dated and described:

**ANNEXATION 1 -- DATED JUNE 4, 1971**

All that land encompassed by and lying within the following described boundary:

Beginning at the Southeast corner of Section 35, Township 29N, Range 23W; thence North along the East line of said Section 35 to the Northeast corner of the Southeast quarter of the Northeast Quarter of said Section 35; thence West along the North line of said S.E. 1/4-N.E. 1/4 to the East R/W line of the St. Louis-San Francisco Railroad as now exists; thence North and Easterly along said R/W line to the North line of Section 35, Township 29N, Range 23W; thence West along said North line of Section 35 (Which is also the South line of Section 26, Township 29N, Range 23W) to the Southeast corner of the S.W.1/4-S.E.1/4 of Section 26, Township 29N, Range 23W; thence North along the East line of said S.W.1/4-S.E.1/4 to the Northeast corner thereof; thence West along the North line of the S.W.1/4-S.E.1/4 and the North line of the S.E. 1/4 of the S.W. 1/4 of said Section 26 to the Southeast corner of the N.W. 1/4 of the S.W. 1/4 of said Section 26; thence North along the East line of the S.W. 1/4 and the N.W. 1/4 of the N.W. 1/4 of said Section 26, Township 29N, Range 23W to the North line of said Section 26; thence West along the North line of said Section 26 to the Northwest corner of said Section 26 and continuing West along the North line of Section 27, Township 29N, Range 23W to the Northwest corner of the N.E. 1/4 of the N.E. 1/4 of said Section 27; thence South along the West line of the N.E. 1/4-N.E. 1/4 and the S.E. 1/4-N.E. 1/4 and the N.E. 1/4-S.E. 1/4 and the S.E. 1/4-S.E. 1/4 of said Section 27 to the South line of said Section 27; thence continuing South along the West line of the N.E. 1/4 of the N.E. 1/4 of Section 34, Township 29N, Range 23W and the West line of the S.E. 1/4-N.E. 1/4 and the N.E. 1/4-S.E. 1/4 and the S.E. 1/4-S.E. 1/4 of said Section 34 to the South line of said Section 34; thence East along the South line of Section 34 and the South line of Section 35 to the point of beginning.

**APPENDIX C**

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**City of Brookline -Cont.**

**ANNEXATION - DATED OCTOBER 16, 1972**

**LEGAL DESCRIPTION**

Comes now the Board of Trustees of the Incorporated Village of Brookline, Missouri, by their attorney and states to the County Court of Greene County that:

1. Brookline was incorporated as a village under the laws of the State of Missouri on the 22nd day of November, 1968.

2. The Board of Trustees desire the following described land be incorporated within the corporate limits of Brookline:

Beginning at the Southwest Corner of the Southwest Quarter (SW1/4) Northwest Quarter (NW1/4) Section One (S1), Township Twenty-eight (T28), Range Twenty-three (R23), then East to the Southeast corner of said Southwest Quarter (SW1/4) Northwest Quarter (NW1/4) then North to the Southwest Corner of the Northeast Northwest of Section One (1)-Twenty-eight (28)-Twenty-three (23). Thence East to the Southeast Corner of said Northeast Northwest, thence North to the center of Section Thirty-six (36), Township Twenty-nine (T29), Range Twenty-three (R23), thence East to the Northwest corner of Northeast Quarter (NE1/4) Southeast Quarter (SE1/4) of Section Thirty-six (36), Township Twenty-nine (T29), Range Twenty-three (R23) thence South to the Southwest corner of the Northeast Quarter (NE1/4) Southeast Quarter (SE1/4) of said Section Thirty-six (S36), thence East to the Southeast corner of the Northwest Southwest of Section Thirty-one (S31), Township Twenty-nine (T29), Range Twenty-two (R22), Thence North to the Northeast corner of the Southwest corner of Section Thirty (30), Township Twenty-nine (T29), Range Twenty-two (R22) Thence west to the Northwest corner of Southwest Quarter (SW1/4) Southeast Quarter (SE1/4) of Section Twenty-five (25) - Twenty-nine (29) - Twenty-three (23), Thence South to the Southwest corner of Northwest Northeast of Section Thirty-six (36) -Twenty-nine (29) - Twenty-three (23). Thence West to the Northwest corner of Southwest Northwest of Section Thirty-six (36) - Twenty-nine (29) - Twenty-three (23), thence South to the point of beginning.

## **APPENDIX D**

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### **AREA A - Republic/Battlefield**

The city of Republic is enjoying a large amount of recent and ongoing growth. Empire has served the city for many years and has developed a very good relationship. Presently, the city has expanded to the east, thus taking the city limits outside Empire's certificated area. The city of Republic has expressed its desire for Empire to serve all newly annexed areas, and this is a request Empire would very much like to accommodate.

The city of Battlefield is also experiencing recent and continued growth. Empire would like to have the ability to offer power to new customers in the Battlefield area.

The James River Expressway (from Springfield to the west) has a new exchange approx. 2 miles north of Battlefield. Empire would like to extend to this area to pick up commercial growth anticipated with a major highway exchange. The Expressway will eventually connect with I-44 near the intersection of I-44 and MM highway. Even more commercial development is expected in this area.

#### **Anticipated construction costs:**

1st Year - \$230,300  
2nd Year - \$163,700  
3rd Year - \$150,600

#### **Anticipated annual revenues:**

1st Year - \$180,000  
2nd Year - \$150,000  
3rd Year - \$170,000

**NOTE:** Costs or revenues are not cumulative.

## **APPENDIX D**

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### **AREA B - Willard**

The city of Willard has long been a franchise area for Empire. Much like Republic, Willard is a bedroom community for Springfield. Willard has much potential for continued growth; much of this area is to the south of the existing city limits. Empire has expanded to the edge of our certification boundary in this area; in fact, Empire has previously filed for certification for the Woodbridge Subdivision. This subdivision-by-subdivision filing is a much more difficult way to serve new customers than would be a recertification including the areas shown.

Willard also has much potential for commercial growth. Among the following are proposed additions to the community: a McDonald's, a city industrial park, and a planned Ozarks Greenway trail from Willard to Bolivar. The city has a top rated school system and its close proximity to I-44 makes it ideal for the trucking industry. Willard also lies close to the Springfield-Branson Regional Airport.

#### **Anticipated construction costs:**

1st Year - \$31,000  
2nd Year - \$31,000  
3rd Year - \$13,000

#### **Anticipated annual revenues:**

1st Year - \$30,000  
2nd Year - \$20,000  
3rd Year - \$10,000

**NOTE:** Costs or revenues are not cumulative.

## **APPENDIX D**

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### **AREA C - Strafford**

The city of Strafford and the nearby area continues to enlarge its trucking industry. Close proximity to I-44 and the continued expansion of the nearby Springfield industrial park help to make Strafford a prime spot for growth in both commercial and residential facilities. In serving the area of Strafford, Empire is hampered much as it is in the Willard area. Empire has power lines built up to the existing boundary and can go no farther without additional certificated area.

#### **Anticipated construction costs:**

1st Year - \$18,480  
2nd Year - \$68,000  
3rd Year - \$42,000

#### **Anticipated annual revenues:**

1st Year - \$12,000  
2nd Year - \$50,000  
3rd Year - \$70,000

**NOTE: Costs or revenues are not cumulative.**

## **APPENDIX D**

Page 4 of 6

### **AREA D - Along the Greene/Christian County Lines**

The area west of Highway 160 and east of Highway 65 along the Greene/Christian County lines has seen much growth lately and should experience much growth in the foreseeable future. Some likely developments for the area are as follows:

- some undeveloped land west of Hwy. 160 that is ideal for subdivision development
- area east of Hwy. 65 that falls between SE Springfield and Rogersville (this area contains existing rural subdivisions with room for more).
- the area around Hwy. 60 has some present commercial growth; also, the convenience of Hwy 60 makes this area an ideal commute to Springfield
- long range plans for this area would include construction to the Rogersville area, which presently has a population of approx. 3700 people and is currently served by Webster Co. Cooperative.

#### **Anticipated construction costs:**

1st Year - \$52,000  
2nd Year - \$72,000  
3rd Year - \$53,000

#### **Anticipated annual revenues:**

1st Year - \$36,000  
2nd Year - \$60,000  
3rd Year - \$45,000

**NOTE:** Costs or revenues are not cumulative.

## Appendix D

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### Summary of Construction Costs

	<u>Cost</u>
<u>Year One:</u>	
3.70 miles of three phase line	\$195,400
4.80 miles of single phase line	\$125,280
0.30 miles of single ph. to three ph. conversion	\$11,100
<u>Year Two:</u>	
4.30 miles of three phase line	\$226,400
4.15 miles of single phase line	\$108,300
<u>Year Three:</u>	
3.05 miles of three phase line	\$160,600
2.30 miles of single phase line	\$61,000
1.00 miles of single ph. to three ph. conversion	\$37,000

NOTE: Costs or revenues are not cumulative.

**Summary of Estimated Annual Revenue**

Note: Estimated annual revenues shown are not cumulative.

	<u>Revenue</u>
<u>Year One:</u>	
Residential	\$108,000
Commercial	\$150,000
<u>Year Two:</u>	
Residential	\$155,000
Commercial	\$125,000
<u>Year Three:</u>	
Residential	\$95,000
Commercial	\$200,000



## **APPENDIX E**

Page 1 of 1

### **Names of Persons Residing in the Proposed Area**

1. Rusty Swift, 8213 Farm Road 164, Republic, MO, 65738
2. Alan Crader, 4078 S. Farm Road 103, Brookline Station, MO, 65619
3. Larry Tourville, 5675 W. Farm Road 164, Brookline Station, MO, 65619
4. Dallas Graves, 6065 S. Farm Road 157, Springfield, MO, 65810
5. Bob Sanders, 5845 S. Geronimo, Springfield, MO, 65810
6. Jim Wheeler, 5590 W. Farm Road 148, Springfield, MO, 65802
7. Dennis Joe Ellis, 980 S. Farm Road 97, Springfield, MO, 65802
8. Randy Wilson, 3175 N. State Highway 125, Strafford, MO, 65757
9. Guy Abel, 2991 N. State Highway 125, Strafford, MO, 65757
10. Barbara Jones, 1094 State Highway 125, Strafford, MO, 65757

VERIFICATION

STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF JASPER     )

On the 13<sup>th</sup> day of October 1998, before me appeared William L. Gipson, to me personally known, who, being by me first duly sworn, states that he is the Vice President - Commercial Operations of The Empire District Electric Company and acknowledged that he has read the above and foregoing document and believes that the allegations therein are true and correct to the best of his information, knowledge and belief, and that the above designated attorneys are authorized to file said application on behalf of The Empire District Electric Company.

William L. Gipson further states that The Empire District Electric Company has received the required consent of the proper municipal authorities involved in this application.

William L. Gipson  
William L. Gipson

Subscribed and sworn to before me this 13<sup>th</sup> day of October 1998.

Julio A. Maus  
Notary Public

My Commission expires: March 26, 2002

VERIFICATION

STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF JASPER     )

On the 13<sup>th</sup> day of October 1998, before me appeared Janet S. Watson, to me personally known, who, being by me first duly sworn, states that she is the Secretary of The Empire District Electric Company and stated that The Empire District Electric Company has received the required consent of the proper municipal authorities involved in this application.

Janet S. Watson  
Janet S. Watson

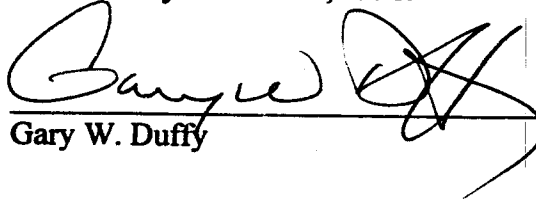
Subscribed and sworn to before me this 13<sup>th</sup> day of October 1998.

Julio A. Maus  
Notary Public

My Commission expires: March 26, 2002

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served by hand delivery on the Office of the Public Counsel this 20th day of October, 1998.

  
\_\_\_\_\_  
Gary W. Duffy