

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. EO-2008-0254, In the Matter of the Application of The Empire
District Electric Company and White River Valley Electric Cooperative
for Approval of a Change in Electric Supplier for a Customer for Reasons
in the Public Interest

FROM: James L Ketter, Energy Department – Engineering Analysis

<u>/s/ Daniel I. Beck 03/25/08</u> Energy Department / Date	<u>/s/ Kevin Thompson 03/25/08</u> General Counsel's Office / Date
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Subject: Staff Recommendation for Approval of Change of Electric Supplier

Date: March 25, 2008

OVERVIEW

On February 1, 2008, The Empire District Electric Company (Empire) and White River Valley Electric Cooperative (White River) filed a Joint Application asking the Commission to approve a change in electric supplier for commercial property located in Hollister, Missouri.

On February 5, 2008, the Commission issued an ORDER PROVIDING NOTICE, ESTABLISHING INTERVENTION DEADLINE, AND DIRECTING STAFF TO FILE RECOMMENDATION. The owner of the subject property was provided notice of the application with an intervention deadline of February 25, 2008. Staff recommendation regarding the Joint Application was set as not later than March 31, 2008.

DISCUSSION

This Joint Application seeks a change of electric supplier for property located at 801 Birch Street, Hollister, Missouri. An existing house on the property is receiving electric service from White River and new structures added by Hollister Interchange Development Company, LLC, will require new electric service. Because the property is within the city limits of Hollister, the cooperative can-not provide electric service to new structures since Hollister has a population greater than fifteen hundred (1500) and Empire is the predominate supplier in Hollister. The property owner did not seek intervention in this case, but has provided an affidavit giving his consent to the change of electric supplier.

Empire has electric facilities in the area to provide electric service to the existing house and will be in position to provide electric service to the new structures. If the Joint

Application is granted, the property owner will pay White River to remove its electric lines to allow for future construction.

The Commission may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential as provided in Section 394.315.2, RSMo. In this instance, the development of the property is hindered because the property is within the city limits and White River is not authorized to expand its service. Empire is adjacent and willing to extend service. Removal of the existing overhead facilities of White River will allow the efficient development of the property by the owner and removal of duplicative electric facilities will provide a safer environment for the public and emergency response personnel.

STAFF RECOMMENDATION

The Staff recommends approval of the Joint Application. The owner of this property is seeking to add new structures and requires an expansion of electric service. White River is not authorized to expand electric service within the city limits. White River is a joint applicant and will remove its overhead facilities if this application is granted.

Approval of the application will allow the owner to have one service provider on the property. Removal of the overhead electric facilities by White River will benefit the public and emergency response personnel because duplicative facilities will not be needed to serve the new structures. With only one electric utility with facilities on the property, requests from emergency responders can be directed to Empire.

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

In the Matter of the Joint Application of)
The Empire District Electric Company)
and White River Valley Electric)
Cooperative for Approval of a Change in)
Electric Supplier for a Customer for)
Reasons in the Public Interest)

Case No. EO-2008-0254

AFFIDAVIT OF JAMES KETTER

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James Ketter, of lawful age, on oath states: that he participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to him; that he has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of his knowledge and belief.


James Ketter

Subscribed and sworn to before me this 25th day of March, 2008.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086


Notary Public