

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the Matter of the Application of)	
Danny R. Byrne For)	Case No. EO-2010-0069
Change of Electric Supplier)	

**MOTION TO FILE RESPONSE OF
OZARK BORDER ELECTRIC COOPERATIVE OUT OF TIME**

COMES NOW Ozark Border Electric Cooperative, by and through counsel, Mark A. Kennedy, and moves the Commission to allow it to file its response to Danny R. Byrne's Application For Change of Electric Supplier, based upon the following grounds:

1. At the time this Application was filed, Ozark Border believed it had representation from Andrew Sporleder of the firm of Andreck Evans in Jefferson City, Missouri.

2. Andrew Sporleder had prepared a Response of Ozark Border Electric Cooperative for filing, but when the Pemiscot-Dunklin Electric Cooperative filed a Motion To Intervene in this matter, that created a conflict for Andrew Sporleder and he was reluctant to sign and file the pleadings in this action due to the conflict of interest.

3. The file on this matter then had to be transferred to Ozark Border's local counsel in Poplar Bluff, Missouri for the filing of a response on behalf of Ozark Border and that is the reason for the two-day delay in filing a Response to the Application of Danny R. Byrne Motion For Change of Electric Supplier.

WHEREFORE, Ozark Border Electric Cooperative prays the Commission to allow the Response of Danny R. Byrne to be filed two days out of time.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was mailed via first class mail on the following parties this 2nd day of October, 2009 to:

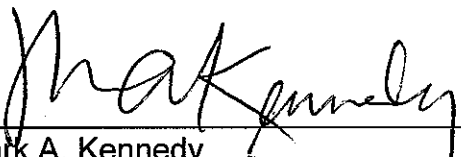
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