

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of The Empire)
District Electric Company and Ozark Electric)
Cooperative for Approval of a Change in Electric) **Case No. EO-2006-0213**
Supplier for Certain Customers for Reasons in the)
Public Interest)

ORDER GRANTING CHANGE OF ELECTRIC SERVICE SUPPLIER

Issue Date: March 1, 2006

Effective Date: March 11, 2006

This order grants a change of electric service supplier for three existing structures from Ozark Electric Cooperative to The Empire District Electric Company.

On November 17, 2005, Ozark and Empire filed a joint application for a change of electric service provider for property owned by Rick and Debra Tucker at 5055 North Highway NN, Ozark, Missouri 65721, and for property owned by Willard Kisse at 5053 and 5075 North Highway NN, Ozark, Missouri 65721, from Ozark to Empire. The properties consist of one residential dwelling, a closed restaurant, and a car sales lot and are served by four meters.

Ozark currently serves the properties through a single-phase overhead line. Ozark has received a request for the relocation of the existing line to aid in the development of adjacent property. In addition, the properties have been annexed into the City of Ozark and, therefore, Ozark may not serve any new structures within the annexed area. In order to facilitate the development, the developer and Mr. Kisse have agreed to pay Ozark for the retirement of the line and to receive service from

Empire. Empire will construct a 7.2 kV overhead line extension approximately 460 feet in length. All of the affected land owners have agreed to the transfer of supplier.

On December 30, 2005, the Staff of the Missouri Public Service Commission filed its recommendation. Staff stated that in its opinion the request was in the public interest for a reason other than a rate differential. Staff recommended that the Commission approve the request subject to the condition that Appendix C to the application, Mr. Kissee's consent, be corrected. On January 11, 2006, Empire filed the corrected consent form.

Section 393.106, RSMo 2000, gives the Commission authority to order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential. The Commission has reviewed the application, Staff's recommendation, and the additional pleadings filed by Empire. The Commission finds that the proposed change of supplier will allow Empire to serve both existing and future customers in the area, and allow Ozark to remove service in an area where it cannot serve any additional customers. All the property owners consent to the change and thus the Commission finds that the change of supplier is in the public interest for a reason other than a rate differential. Therefore, the Commission shall grant the application.

IT IS ORDERED THAT:

1. The Joint Application for a change of electric supplier for property owned by Rick and Debra Tucker at 5055 North Highway NN, Ozark, Missouri 65721, and for property owned by Willard Kissee at 5053 and 5075 North Highway NN, Ozark, Missouri

65721, from Ozark Electric Cooperative to The Empire District Electric Company, is granted.

2. This order shall become effective on March 11, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of March, 2006.