

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of The Empire)
District Electric Company and White River Valley)
Electric Cooperative for Approval of a Written)
Territorial Agreement Designating the Boundaries)
of Exclusive Service Areas for Each Applicant)
within the Missouri Counties of Stone & Taney) **Case No. EO-2007-0161**

ORDER AND NOTICE

Issue Date: October 24, 2006

Effective Date: October 24, 2006

On October 18, 2006, The Empire District Electric Company and White River Valley Electric Cooperative filed a Joint Application. The parties ask that the Commission find that the proposed territorial agreement is not detrimental to the public interest and to approve the agreement.

Applicants have mutually agreed to displace competition between themselves as allowed by law and have set out the terms of their agreement. The agreement is attached to the application and marked as Appendix A. No other municipal electric supply systems and investor-owned electric utilities operate within the area covered by the Agreement.

The Commission must rule on the application within 120 days of October 18, 2006 (February 15, 2007), unless otherwise ordered by the Commission for good cause shown. The Commission has determined that the information officer of the Commission will make notice of this application available to the newspapers and other media serving Stone and Taney Counties, Missouri, and to all members of the Missouri General Assembly representing those counties. Further, the Data Center of the

Commission shall serve a copy of this order on the County Commissioners of Stone and Taney Counties.

Proper persons wishing to intervene shall have 20 days from the date of this order to file an application to intervene with the Secretary of the Commission and shall send a copy of the application to intervene to all parties as directed below.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary.

IT IS ORDERED THAT:

1. The Data Center shall send a copy of this order to the County Commissioners of Stone and Taney Counties, Missouri.
2. The Information Officer of the Missouri Public Service Commission shall send notice to the members of the General Assembly representing the Applicants' service areas and to the newspapers and other media that serve Applicants' service areas.
3. Any interested person wishing to intervene in this case shall file an application to intervene on or before November 20, 2006, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and serve a copy on:

Dean L. Cooper, Esq.
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol
Post Office Box 456
Jefferson City, Missouri 65102
Attorney for Empire District Electric Company

Christiaan D. Horton, Esq.
NEALE & NEWMAN, L.L.C.
1949 E, Sunshine, Suite 1-130
Springfield, Missouri 65808-0327
Attorney for White River Valley Electric Cooperative

and

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. That this order shall become effective on October 24, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Colleen M. Dale, Chief Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 24th day of October, 2006.