

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

In the Matter of the Application of The Empire)
District Electric Company and Ozark Electric)
Cooperative for Approval of a Written Territorial)
Agreement Designating the Boundaries of an)
Exclusive Service Area for Ozark within a Tract of)
Land in Greene County, Missouri and Associated)
Requests for Approval of a Transfer of Facilities and)
Change of Supplier.)

Case No. EO-2008-0043

**PUBLIC COUNSEL’S NOTICE OF CONCURRENCE IN BRIEFS OF OZARK
ELECTRIC COOPERATIVE AND EMPIRE DISTRICT ELECTRIC COMPANY**

COMES NOW the Office of the Public Counsel and for its Notice of Concurrence in Briefs of Ozark Electric Cooperative and Empire District Electric Company states as follows:

On December 18, 2007, the Commission issued an order setting February 6, 2008 as the deadline for post-hearing reply briefs. Both Ozark Electric Cooperative and The Empire District Electric Company filed their reply briefs as ordered on February 6, 2008. Public Counsel generally concurs in those two briefs.

WHEREFORE, Public Counsel respectfully requests that the Commission accept this Notice of Concurrence in Briefs of Ozark Electric Cooperative and Empire District Electric Company.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ **Lewis R. Mills, Jr.**

By: _____

Lewis R. Mills, Jr. (#35275)
Public Counsel
P O Box 2230
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 FAX
lewis.mills@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 6th day of February 2008:

Office General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Nathan Williams
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Nathan.Williams@psc.mo.gov

Gary W Duffy
The Empire District Electric Company
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
duffy@brydonlaw.com

Rodric A Widger
Ozark Electric Cooperative, Inc.
1111 S. Glenstone, Suite 2-100
Springfield, MO 65804
rwidger@lawofficemo.com

/s/ Lewis R. Mills, Jr.
