

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In The Matter Of The Application Of Laclede)
Electric Cooperative And The City Of Waynesville,)
Missouri For Approval Of A Written Territorial) EO-2009-0314
Agreement Designating The Boundaries Of Each)
Electric Service Supplier Within A Portion Of The)
City Of Waynesville, Pulaski County, Missouri)

Notice of Application and Order Directing Filing

Issue Date: March 9, 2009

Effective Date: March 9, 2009

The Missouri Public Service Commission is giving notice of an application for a territorial agreement, and setting a deadline for filings, as follows.

On February 3, 2009, the City of Waynesville, Missouri, and Laclede Electrical Cooperative filed a joint application for approval of a territorial agreement. The statutes provide:

. . . notice of such filing shall be given to other electrical suppliers pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. [1]

No such regulation contains any provision for notice. Also, the application alleges that there are no other electrical suppliers in the area subject to the agreement. Therefore, the Commission will order notice delivered to elected officials and published in newspapers.

Any motions to intervene shall be filed no later than April 6, 2009. The Commission's staff shall file a recommendation on the application no later than April 27,

2009. The Commission's rules of discovery are set forth at 4 CSR 240-2.090. If no party files a motion for an evidentiary hearing, the Commission may deem the right to an evidentiary hearing waived. The Commission must rule on the application no later than 120 days from the application's filing date.²

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send a copy of this order to the county commissioners of Pulaski County, Missouri; and the mayor and city council members of Waynesville, Missouri.

2. The Commission's Public Information Office shall send notice to the members of the General Assembly representing Pulaski County, Missouri and to the newspapers and other media serving Pulaski County, Missouri.

3. Motions to intervene shall be filed no later than April 6, 2009.

4. The Commission's staff shall file a recommendation on the application no later than April 27, 2009.

5. This order is effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 9th day of March 2009.

Jordan, Regulatory Law Judge

¹ Section 394.312.4, RSMo Supp. 2008.

² *Id.*