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February 25, 2004

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FILED²

MAR 02 2004

**Missouri Public
Service Commission**

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

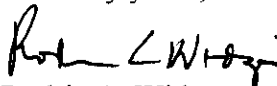
Re: In the Matter of the Application of Joe D. Carter for a Change of Electric Supplier
from White River Valley Electric Cooperative to City of Nixa Electric
Case No: EO-2004-0352

Dear Judge Roberts:

Enclosed for filing in the above referenced matter please find an original and seven copies of White River Valley Electric Cooperative's Entry of Appearance and Statement of Position.

Thank you in advance for your prompt attention to this matter. If you should have any questions or comments, please do not hesitate to contact my office.

Sincerely yours,


Rodric A. Widger

RAW/dw

Cc: Dana K. Joyce
John B. Coffman
City of Nixa Utilities
Joe Carter

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

MAR 02 2004

Missouri Public
Service Commission

In the matter of the Application of)
Joe D. Carter for a Change of Electric)
Supplier from White River Valley) Case No. EO-2004-0352
Electric Cooperative to City of Nixa)
Electric.)

**ENTRY OF APPEARANCE AND STATEMENT
OF POSITION**

1. COMES NOW White River Valley Electric Cooperative, Inc., and enters its appearance in this proceeding by and through the undersigned counsel. Notices, correspondence, and orders should be directed to the following:

Rodric A. Widger
Andereck, Evans, Milne, Peace & Johnson, L.L.C.
1111 S. Glenstone #2-100
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2. White River Valley Electric Cooperative, Inc., opposes the application for reason that the Applicant has failed to allege facts that support a finding that a change of supplier is in the public interest. Further elaborating on this position, White River Valley Electric Cooperative has attached the affidavit of Chris Hamon, its General Manager.

Respectfully submitted,

**ANDERECK, EVANS, MILNE,
PEACE & JOHNSON, L.L.C.**

By: 

Rodric A. Widger, #31458
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ATTORNEYS FOR
WHITE RIVER VALLEY
ELECTRIC COOPERATIVE, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a complete copy of the foregoing instrument was served upon:

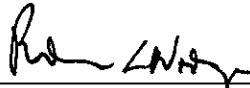
Dana K. Joyce
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

John B. Coffman
P.O. Box 7800
200 Madison Street, Suite 640
Jefferson City, MO 65102

City of Nixa Utilities
707 West Center Circle
Nixa, MO 65714

Joe Carter
710 S. Harrison Street
Nixa, MO 65714

by enclosing same in envelopes addressed to the attorneys of record of said parties at their business addresses as disclosed in the pleadings of record therein, with first class postage fully prepaid, and by depositing said envelope in a U.S. Post Office mail box in Springfield, Missouri, on FEBRUARY 27, 2004.



Rodric A. Widger

AFFIDAVIT


Chris Hamon, of lawful age and duly sworn on his oath, affirms that the following is true to the best of his knowledge, information, and belief:

1. My name is Chris Hamon. I am employed as the General Manager of White River Valley Electric Cooperative, Inc.
2. I have reviewed the application of Joe D. Carter and I am aware of the circumstances of his electric distribution service.
3. White River Valley Electric Cooperative, Inc., opposes the Application for reasons including, but not limited to, the following:
 - a. To my information and belief, the location of Mr. Carter's residence has not been annexed by the City of Nixa and its utility department is therefore not lawfully eligible to be Mr. Carter's electric provider.
 - b. Mr. Carter's residence is already established as a habitable residence with a water source, a wastewater system, and electricity. If his property was annexed and City of Nixa services became available to him, the City could not lawfully tie the extension of water, sewer, and gas services to the purchase of electric service.
 - c. White River expects to be the electric provider used by the developer that Mr. Carter refers to for the purpose of supplying electricity throughout the planned development. The work of the developer to convert overhead service to the underground service is at no cost to Mr. Carter and will not alter the quality of his service.
 - d. Mr. Carter has acknowledged that White River's electric service has been "very satisfactory." He has presented no circumstances or facts that would support an order finding that a change of supplier is in the public interest as required by law.

4. Further affiant sayeth not.

2/26/04

Date _____


Chris Hamon

STATE OF MISSOURI)
) SS
COUNTY OF webster)

On this 26th day of February, 2004, before me personally appeared to me known to be the person described in and who executed the foregoing instrument and acknowledges that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Springfield the day and year first above written.

Jill M. Cunningham
Notary Public

My Commission Expires:

