

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 12th day  
of November, 2009.

In the Matter of the Application of Danny R. Byrne  
for Change of Electric Supplier.

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**File No. EO-2010-0069**

**ORDER GRANTING APPLICATION TO INTERVENE**

Issue Date: November 12, 2009

Effective Date: November 12, 2009

On August 28, 2009, Danny R. Byrne filed an application for a change of electric service supplier. Mr. Byrne wishes to change from having electric service provided by the City of Campbell to having his service provided by Ozark Border Electric Cooperative. Notice of the application was issued and Ozark Border was made a necessary party to the application.

On September 25, 2009, Pemiscot-Dunklin Electric Cooperative filed an application to intervene. Pemiscot-Dunklin alleges that it and the City have entered into an agreement whereby Pemiscot-Dunklin will acquire the electrical energy distribution assets of the City and would become the electrical distributor for the City's current electric customers, including Mr. Byrne.

Ozark Border filed an objection to the application to intervene. Ozark Border claims that because Mr. Byrne resides outside the city limits and is located within Ozark Borders' service territory specifically covered by a territorial agreement between Ozark Border and Union Electric Company, d/b/a AmerenUE, the customer should be served by

Ozark Border. Ozark Border also alleges that Pemiscot-Dunklin has no standing to intervene in this matter because it lacks a territorial agreement to serve the area and if Pemiscot-Dunklin serves this customer it would violate the terms of the Ozark Border-AmerenUE agreement. Ozark Border also alleges that the sale between the City and Pemiscot-Dunklin is not in the public interest.

The Commission's rule on intervention states that the Commission may allow intervention if:

- (A) The proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case; or
- (B) Granting the proposed intervention would serve the public interest.

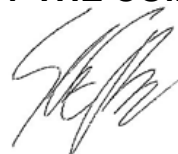
Regardless of the final outcome of the disputes between Pemiscot-Dunklin and Ozark Border over which cooperative is more appropriate to serve this customer, Pemiscot-Dunklin has shown that it has an interest in this proceeding that is different from that of the general public. In addition, it has shown that that interest may be adversely affected by a final order in this case. Therefore, the Commission determines that it is appropriate to allow Pemiscot-Dunklin to intervene.

**THE COMMISSION ORDERS THAT:**

1. The application to intervene of Pemiscot-Dunklin Electric Cooperative is granted.

2. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. C. Reed', written in a cursive style.

Steven C. Reed  
Secretary

( S E A L )

Clayton, Chm., Davis, Jarrett,  
Gunn, and Kenney, CC., concur.

Dippell, Deputy Chief Regulatory Law Judge