

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 15<sup>th</sup> day of  
January, 2008.

|   |   |                                     |
|---|---|-------------------------------------|
| In the Matter of the Application of Aquila, Inc., d/b/a | ) |                                     |
| Aquila Networks – MPS, and Osage Valley Electric        | ) |                                     |
| Cooperative for Approval of Addendum No. 2 to a         | ) | <b><u>Case No. EO-2006-0244</u></b> |
| Written Territorial Agreement Designating the           | ) |                                     |
| Boundaries of Exclusive Service Areas within Cass       | ) |                                     |
| County, Missouri  | ) |                                     |

**ORDER CORRECTING LEGAL DESCRIPTIONS IN TERRITORIAL  
AGREEMENT**

Issue Date: January 15, 2008

Effective Date: January 25, 2008

On November 16, 2007, Osage Valley Electric Cooperative Association filed a motion asking the Commission to correct two legal descriptions contained in a previously approved Territorial Agreement between Osage Valley and Aquila, Inc., d/b/a Aquila Networks – MPS, for service areas in Cass County, Missouri. The motion indicates the legal descriptions of two parcels affected by the Territorial Agreement contain errors, and asks that the legal descriptions be corrected. The motion for correction was filed only by Osage Valley, but on November 28, Aquila filed a pleading indicating its concurrence in the motion.

On December 3, the Commission's Staff filed a recommendation regarding the corrections requested by Osage Valley and Aquila. Staff indicated the proposed corrections are appropriate and recommended the Commission approve the corrections. However, Staff pointed out that the City of Peculiar and Cass County, Missouri might also

be interested and suggested the Commission provide notice of Osage Valley's motion and offer interested parties an opportunity to intervene.

On December 4, the Commission ordered that notice be mailed to the governing bodies of the City of Peculiar and Cass County. The order allowed any interested party until December 24 to file an application to intervene. On December 17, the City of Peculiar filed a letter indicating it does not object to the proposed correction and declining the invitation to intervene. Cass County did not respond.

Based on Osage Valley's unopposed motion and the recommendation of its Staff, the Commission will approve the proposed corrections to the legal descriptions and will make them part of the territorial agreement.

**IT IS ORDERED THAT:**

1. The corrected Exhibit A to Addendum No. 2 to the Territorial Agreement between Aquila, Inc., d/b/a Aquila Networks – MPS, and Osage Valley Electric Cooperative is approved and is made a part of the Territorial Agreement. A copy of the corrected Exhibit A is attached to this order.
2. This order shall become effective on January 25, 2008.

3. This case shall be closed on January 26, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(S E A L)

Davis, Chm., Murray, Clayton and Jarrett, CC., concur.  
Appling, C., absent

Woodruff, Deputy Chief Regulatory Law Judge