

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

In the Matter of the Joint Application of)	
The Empire District Electric Company and)	
Carthage Water & Electric Plant for Approval)	Case No. _____
Of a Change in Electric Supplier for Certain)	
Customers for Reasons in the Public Interest.)	

JOINT APPLICATION

COME NOW The Empire District Electric Company (Empire) and Carthage Water & Electric Plant (CW&EP), a municipal utility of the City of Carthage, Missouri (Carthage), hereinafter referred to collectively as "Applicants," and for their Joint Application, pursuant to Section 394.315, RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.140, respectfully state as follows:

APPLICANTS

1. Empire is a Kansas corporation with its principal office and place of business at 602 Joplin Street, Joplin, Missouri 64801. Empire is engaged in the business of providing electrical and water utility services in Missouri to customers in its service areas. Empire is an "electrical corporation," a "water corporation," and a "public utility" as those terms are defined in § 386.020 RSMo. 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law. Empire has no pending or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or its rates, which have occurred within the three years immediately preceding the filing of this Joint Application. Empire has no overdue Commission annual reports or assessment fees. Empire's documents of incorporation have been previously filed with the Commission in Case No. EF-94-39, and said documents are incorporated herein by reference in accordance with 4 CSR 240-2.060(1)(G). A Certificate of Authority from the Missouri Secretary of State to the effect that Empire, a foreign corporation, is duly authorized to do business in the State of Missouri was filed with the

Commission in Case No. EM-2000-369, and is incorporated herein by reference.

2. Carthage Water & Electric Plant is a municipal utility owned by the City of Carthage which is a charter city organized and existing under the laws of Missouri with the principal office of Carthage Water & Electric Plant located at 149 East Third Street, Carthage, Missouri 64836. It is engaged in the distribution of electric energy and service to its citizens. Carthage Water & Electric Plant has no pending or final judgments or decisions against it from any state or federal agency or court that involve its customer service or rates within the three years immediately preceding the filing of this Joint Application.

3. Correspondence, communications, and orders in regard to this Joint Application should be directed to:

Dean L. Cooper
Brydon, Swearengen & England, P.C.
312 E. Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
573-635-7166 (telephone)
573-635-3847 (fax)
e-mail: dcooper@brydonlaw.com

Malcolm Robertson
Blanchard, Robertson, Mitchell, and Carter, PC.
P.O. Box 1626
320 West Fourth Street
Joplin, MO 64802
(417) 623-1515 (telephone)
e-mail: robertson@brmclaw.com

Tim Ketchum
Lamar Advertising
751 S. Malang Road
Joplin, MO 64804

Jerry Perry
Grace Energy Corporation d/b/a Fastrip #38
P.O. Box 514
Carthage, MO 64836

FACTS

4. Empire currently provides electrical service to three advertising signs along the east side of Highway 71, just south of the Highway HH intersection, in Carthage, Missouri. Two of these signs are owned and operated by Lamar Advertising, 751 S. Malang Road, Joplin, MO 64804. The third sign is owned and operated by Grace Energy Corporation d/b/a Fastrip #38, P.O. Box 514, Carthage, MO 64836.

5. Empire has an overhead, 12 Kv feeder line that runs along Highway 71, and in front of the McCune-Brooks Regional Hospital, 3125 Dr. Russell Smith Way, Carthage, Missouri 64836. The Hospital has asked Empire to relocate this line to the backside of the Hospital.

6. After this relocation, a new highway crossing would be required for Empire to continue serving the three advertising signs referenced above. This would add additional expense to the relocation project. A less expensive alternative is to change the signs' supplier from Empire to Carthage Water and Electric Plant (CW&EP). If the supplier is changed, the cost of this relocation will be paid for by CW&EP.

7. In order to complete this transaction, Empire will sell to CW&EP, at net book value (approximately \$3,933.24), three poles, 1,108 feet of 7200 volt conductor, crossarms, anchors and guys. Empire will also perform the necessary relocation. With these facilities, CW&EP will be able to serve the customers from an existing circuit.

8. A diagram of the properties, Carthage's existing line and Empire's existing lines is attached hereto and marked Appendix A.

9. The customers identified above have consented to the proposed change of supplier from Empire to CW&EP. Their verified, written consents are attached hereto as Appendix B and Appendix C, respectively.

STATUTE

10. Section 394.315.2, RSMo provides in relevant part that [t]he public service commission, upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than rate differential, and the commission is hereby given jurisdiction over municipal utilities to accomplish the purpose of this section.

PUBLIC INTEREST

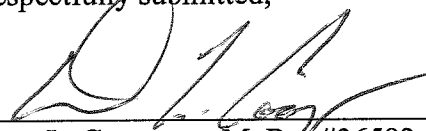
11. The proposed change of supplier is in the public interest because it will allow the continued provision of electric service to the identified customers without the need to make additional investment in relocating electric lines. Thus, the proposed change of supplier is in the public interest for a reason other than a rate differential.

WHEREFORE, Joint Applicants respectfully request that the Commission issue its order:

(a) Finding that the change of electric supplier proposed herein is in the public interest and approving the proposed change of electric supplier; and

(b) Granting such other relief as is deemed necessary to accomplish the purposes of this Joint Application.

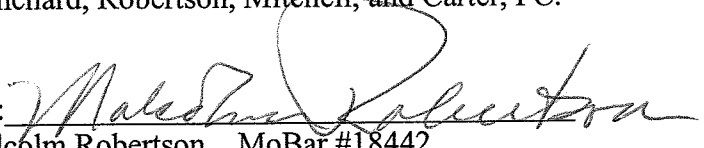
Respectfully submitted,



Dean L. Cooper MoBar #36592
Brydon, Swearngen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
573-635-7166 (telephone)
573-635-3847 (fax)
Email: dcooper@brydonlaw.com
ATTORNEYS FOR THE
EMPIRE DISTRICT ELECTRIC COMPANY

Blanchard, Robertson, Mitchell, and Carter, PC.

BY:


Malcolm Robertson MoBar #18442

P.O. Box 1626

320 West Fourth Street

Joplin, MO 64802

(417) 623-1515 (telephone)

robertson@brmclaw.com

ATTORNEY FOR CARTHAGE WATER &
ELECTRIC PLANT

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Joint Application was served by electronic mail or U.S. Mail, postage prepaid, this 13th day of November, 2008, upon the following:

Office of the Public Counsel
Governor State Office Building, 6th Floor
Jefferson City, Missouri 65101
gencounsel@psc.mo.gov

Office of the General Counsel.
Missouri Public Service Commission
Governor State Office Building, 8th Floor
Jefferson City, Missouri 65101
opcservice@ded.mo.gov

Lamar Advertising
Attn: Tim Ketchum
751 S. Malang Road
Joplin, MO 64804

Grace Energy Corporation d/b/a Fastrip #38
Attn: Jerry Perry
P.O. Box 514
Carthage, MO 64836


Dean L. Cooper

VERIFICATION

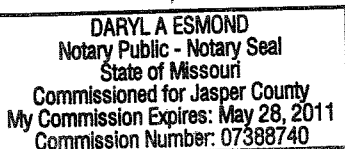
STATE OF MISSOURI)
)ss
COUNTY OF Jasper)

I, Michael Palmer, state that I am employed by The Empire District Electric Company (Empire) as Vice President - Commercial Operations; that I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of Empire.

Michael Palmer

Subscribed and sworn to before me this 12th day of November, 2008.

Daryl A. Esmond Notary Public



VERIFICATION

STATE OF MISSOURI)
)ss
COUNTY OF JASPER)

I, Robert Williams, state that I am employed by the Carthage Water & Electric Plant, a municipal utility owned by the City of Carthage, Missouri (Carthage), as General Manager of Carthage Water and Electric Plant; I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of Carthage Water & Electric Plant.

CARTHAGE WATER & ELECTRIC PLANT

BY: *Robert E. Williams*
ROBERT WILLIAMS

Subscribed and sworn to before me this 29 th day of October, 2008.

Susan M. Wendleton
_____, Notary Public

SUSAN M. WENDLETON
Notary Public - Notary Seal
State of Missouri
Jasper County
Commission # 08475451
My Commission Expires Sept. 26, 2012



4-23-08

FIR RD.

HWY 71

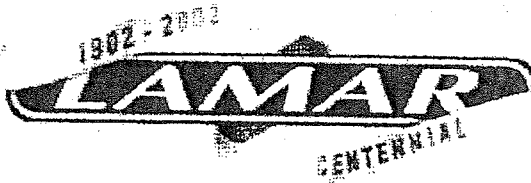
OUTER RD.

REMOVE 12KV 556 AAC + 4/0 ACSR NEUTRAL.

INSTALL 12KV 556 AAC + 4/0 ACSR NEUTRAL.
EXISTING CW&EP 12KV 477 AAC + 4/0 ACSR NEUTRAL.

S 21
T 28 N
R 31 W
CARTHAGE, MO.
JASPER, CO.

am ALLGEIER, MARTIN and ASSOCIATES, INC.	
CONSULTING ENGINEERS JOPLIN, MISSOURI	
DRAWN BY <u>DER</u>	DATE: <u>5-10-07</u>
ENGINEERED BY <u>ABC</u>	SCALE: <u>NO SCALE</u>
APPROVED BY <u>ABC</u>	NO. : <u>KEY MAP</u>



Lamar Advertising – Joplin
 751 S. Malang Road, Joplin, MO 64804
 PH. (417) 623-7920 / 1 (800) 976-8840
 FAX (417) 623-1655

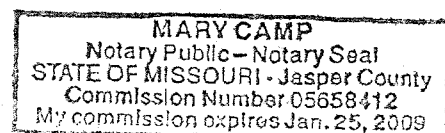
I Tim Ketchum, state that I am the Vice President/General Manager of Lamar Advertising of Joplin, and that Lamar Advertising is the legal owner of the signs located on the east side of Alt Hwy 71 just south of Hwy HH, Carthage, Missouri. I am authorized to make this statement on behalf of Lamar Advertising. By my signature below Lamar Advertising, hereby consents and agrees to the transfer of the electric utility service at the above address from The Empire District Electric Company to The City of Carthage Water and Electric, a utility owned by the City of Carthage. This consent in no way allows either of the above mentioned utility to charge Lamar Advertising for the transition of service. Furthermore, it is understood and agreed that service will be transitioned and not terminated for longer then needed to perform necessary connection alterations. If above mentioned items are not agreeable to any party involved Lamar Advertising does not consent to the transition of service.

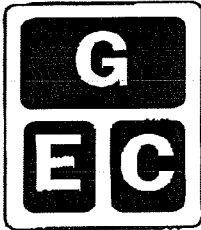
Tim Ketchum
 Vice President/General Manager
 Lamar Advertising
 751 S. Malang Rd.
 Joplin, MO. 64804
 417-623-7920 office
 417-623-6276 fax

Subscribed and sworn to before me this 10 th day of July 2008

Mary Camp

Exp. Jan. 25, 2009 Notary Public





Grace Energy Corporation

P. O. BOX 514

CARTHAGE, MISSOURI 64836

417-358-7300, 417-624-4045

STATE OF MISSOURI)
)
 COUNTY OF JASPER)

I, Jerry J. Perry, state that I am the President of Grace Energy Corporation, dba Fastrip #38 located in Carthage, Missouri and that Grace Energy Corp. is the legal owner of the sign located at the Highway 71 and HH exit. By my signature below, I hereby consent and agree to the transfer of the electric utility service at the above address from the EMPIRE DISTRICT ELECTRIC COMPANY to the CITY OF CARTHAGE WATER AND ELECTRIC, a utility owned by the City of Carthage.

Subscribed and sworn to before me this 8 th day of JULY, 2008.

Katherine E. Felker
 _____, Notary Public

