

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

In the Matter of the Application of The Empire District       )  
Electric Company and White River Valley Electric       )  
Cooperative for Approval of a Seventh Written Territorial       )  
Agreement Designating the Boundaries of Exclusive       )  
Service Areas within Christian and Taney Counties.       )

**File No. EO-2012-0192**

**STAFF MOTION FOR EXTENSION OF TIME**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), and for its Motion for Extension of Time states:

1. On December 20, 2011, The Empire District Electric Company and White River Valley Electric Cooperative (collectively, Applicants) filed a joint application (Application) with the Missouri Public Service Commission (Commission) for approval of a seventh territorial agreement (Agreement). The Applicants propose to specifically designate the boundaries of three exclusive service areas within portions of Christian and Taney County in southwest Missouri.

2. The Agreement will allow White River to provide electric service to a sewer lift station owned by the Sparta School District in the City of Sparta, Missouri. The Agreement also will allow White River to provide electric service to certain new subdivisions in the City of Forsyth, Missouri.

3. Because both the City of Sparta and the City of Forsyth have more than 1,500 inhabitants, they are not “rural areas.”<sup>1</sup> White River is not authorized to serve outside a rural area<sup>2</sup> unless the Commission approves this Agreement.<sup>3</sup>

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<sup>1</sup> See § 394.020.3, RSMo 2000.

<sup>2</sup> See § 394.080.1(4) and 394.312, RSMo 2000. The exception at § 394.080.2 RSMo 2000 is inapplicable.

<sup>3</sup> See § 394.312.5, RSMo 2000. The Commission may approve territorial agreements if they are in total “not detrimental to the public interest.”

4. The Application stated that the parties would obtain and file an ordinance from the City of Sparta consenting to the Agreement. That consent from the City of Sparta was filed with the Commission on January 23, 2012.

5. Staff asked the parties to obtain a similar consent ordinance from the City of Forsyth. That consent has not yet been filed with the Commission.

6. According to the Clerk of the City of Forsyth, said consent ordinance is on the agenda for the next City Council meeting to be held Monday, February 6, 2012.

**WHEREFORE**, Staff moves the Commission to extend the time for Staff to file its recommendation in this case from February 3, 2012, until no later than ten (10) days after the parties file an ordinance from the City of Forsyth consenting to the Agreement in this case.

Respectfully Submitted,

**STAFF OF THE MISSOURI  
PUBLIC SERVICE COMMISSION**

/s/ John D. Borgmeyer  
John D. Borgmeyer  
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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 3<sup>rd</sup> day of February, 2012.

/s/ John D. Borgmeyer