

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

In the Matter of the Application of Roger)
Farrell for Change of Electric Supplier from)
City of Butler to Osage Valley Electric)
Cooperative)
File No. EO-2023-0043

**ORDER DIRECTING NOTICE, ADDING PARTIES,
AND DIRECTING RESPONSES TO APPLICATION**

Issue Date: August 9, 2022

Effective Date: August 9, 2022

On August 8, 2022, Roger Farrell filed an application with the Missouri Public Service Commission requesting a change of electric supplier from the City of Butler, Missouri (City of Butler) to the Osage Valley Electric Cooperative Association (Osage Valley).

The Commission will direct its Data Center to send notice of the application to the City of Butler and Osage Valley. Because they are necessary parties, the City of Butler and Osage Valley will be joined as parties to this proceeding and will be directed to file responses to the application. The Commission will also direct the Staff of the Commission (Staff) to file a recommendation.

THE COMMISSION ORDERS THAT:

1. The Commission’s Data Center shall send a copy of this order, with a copy of the application, to the City of Butler and Osage Valley.
2. The City of Butler and Osage Valley are made parties to this proceeding and shall each file a response to the application no later than October 8, 2022.
3. Staff shall file its recommendation regarding the application no later than October 24, 2022.

4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Ross Keeling, Regulatory Law Judge
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of August, 2022.

FILED

AUG 8 2022

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the application of

Evergreen Estates & surrounding property owners

Case No. _____

APPLICATION FOR CHANGE OF ELECTRIC SERVICE PROVIDER

1. Applicant's addresses are:

1492 NE County Rd 63 Butler, MO 64730 (Roger Farrell)

2. The name of Applicant's current electric service provider is: City of Butler

3. Applicant requests the Missouri Public Service Commission to order a change of the electric supplier to the address indicated above.

4. Applicant requested the Commission to order a change of electric supplier
from
City of Butler
(Current)

to Osage Valley Electric Cooperative
(Requested)

5. Applicant requests the Missouri Public Service Commission to order a change of electric provider for the following reasons.*

The aforementioned properties are not found within the City of Butler city limits, but are currently provided power by the City of Butler. Currently, established ordinances directly impede expansion of electrical services to multiple private properties in our housing area, preventing advancement of home constructions and devaluation of property in Evergreen Estates. It is our understanding that some of the currently provided power services to our properties are not provided legally. These properties were constructed after 1991. It is our understanding it is Osage Valleys' territory and therefore right to provide power to our geographical area. It is our understanding there is no current territorial agreement. It is our understanding the city has not found ownership paperwork for the electric lines in our community. Attempts to reconcile this issue began in January and have not been resolved at this time.

6. Applicant has taken the following steps in an attempt to work out electric service problems with the electric service provider:

The service issue was discovered in January when property owners were refused new electrical services to newly purchased property. Property owners attempted to remedy the situation when the issue was discovered. This issue has been presented during several City Council open and closed sessions, but minimal information has been provided to property owners upon inquiry to the City of Butler. Conflicting reports have been made regarding progress towards any form of a territorial agreement between the two entities. This is directly delaying building of ANY structures requiring electrical services on these properties.

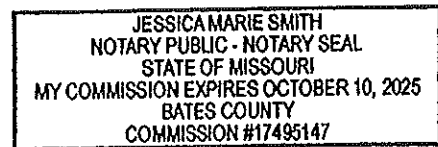
WHEREFORE, Applicant requests the Missouri Public Service Commission to issue an Order which changes the current electric service provider.

Direct Contacts for this application will be:

July 27, 2022
(Date) (Signature of Applicant)
Roger Farrell

*If reason for change is poor service, outages, low voltage, etc., applicant should submit a record of service problems covering at least 90 days, including dates and times of problems to the extent possible. Applicant should also attempt to determine reasons for any service problems. For instance, if electric service was out or you are experiencing blinking lights, you should contact the supplier of electric service to determine the problem, and include this information with the application. (If the reasons from the supplier was a storm, car hitting pole, trees in line, conductor fell down, or whatever the supplier states for the problem, this should be noted.)

STATE OF MISSOURI)
) ss.
COUNTY OF Bates)



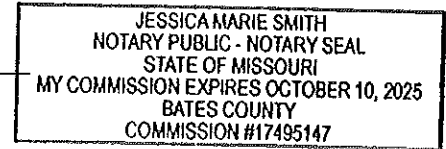
VERIFICATION

_____, on oath, states that he/she has read the foregoing application and is familiar with its contents and the matters set forth therein are true to the best of his/her knowledge, information and belief.

Roger Farrell
(Signature of Applicant)

SWORN TO BEFORE ME, the undersigned Notary Public on this the 27
day of July 2022.

Jessica Marie Smith
Notary Public



My Commission Expires: 10/10/2025

INFORMATION ON PUBLIC SERVICE COMMISSION PROCEDURE FOR PRO SE CHANGE OF SUPPLIER APPLICANTS

Pro se applicants are applicants who choose to represent themselves before the Public Service Commission rather than being represented by an attorney. This attachment is intended to give pro se applicants information on Commission procedures for applicants for a change of electric supplier. However, it is still the responsibility of pro se applicants to educate themselves about Commission procedures. "Parties who represent themselves must satisfy all relevant rules of procedure; they are entitled to no indulgence they would not have received if represented by counsel." Sutton v. Kestler, 930 S.W.2d 516, 517 (Mo. App. 1996). Enclosed please find a copy of the Commission's rules on Practice and Procedures. You will be expected to follow these rules.

Generally, there will be five parties in a change of supplier case: (1) the applicant; (2) the applicant's current electric supplier; (3) the electric supplier to whom the applicant wishes to change; (4) the Staff of the Commission; and (5) a representative of the Office of the Public Counsel. The Staff of the Commission is a separate party and will make an independent recommendation to the Commissioners. However, the Commissioners will make the ultimate decision. The Office of the Public Counsel represents the general public before the Commission. Neither the Staff of the Commission nor the Office of the Public Counsel represents the applicant, and neither will act as applicant's attorney nor give substantive advice to the applicant. The Office of the Public Counsel and Staff will try to answer any questions an applicant may have about Commission procedure. The applicant should also be aware that if any pleading or correspondence is to be filed with the Commission, a copy of that document must be sent to all the other parties.

Other parties may request information from the applicant through the Commission discovery procedure, which is similar to what is allowed in court cases. The purpose of discovery is to find out generally what evidence a party intends to present at a hearing, or what a party's witnesses may be expected to testify at a hearing. All parties, including the pro se applicant, may engage in discovery, in accordance with the Commission's rules.

If there are contested matters, the Commission will hold a hearing.

At the hearing, the pro se applicant can expect the following procedure: Each


STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 9th day of August, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 9, 2022

File/Case No. EO-2023-0043

**Missouri Public Service
Commission**
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

City of Butler, Missouri
Legal Department
101 N. Lyons
PO Box 420
Butler, MO 64730

**Osage Valley Electric
Cooperative**
Legal Department
1321 North Orange
P.O. Box 151
Butler, MO 64730-0151

Roger Farrell
Roger Farrell
1492 NE County Rd. 63
Butler, MO 64730

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



***Morris L. Woodruff
Secretary***

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.