

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

In the Matter of the Joint Motion of Osage )  
Valley Electric Cooperative, Inc. and Evergy )  
Missouri West, Inc. d/b/a Evergy Missouri West ) **File No. EO-2021-0339**  
for Approval of a Third Addendum to the )  
Parties' Territorial Agreement Designating the )  
Boundaries of Each Electric Service Supplier )  
Within Portions of Cass County )

**ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE,  
AND DIRECTING STAFF RECOMMENDATION**

Issue Date: April 12, 2021

Effective Date: April 12, 2021

On April 9, 2021, Osage Valley Electric Cooperative (Osage Valley) and Evergy Missouri West, Inc. d/b/a Evergy Missouri West (Evergy Missouri West), hereinafter collectively referred to as “Movants,” filed a Joint Motion for Approval of Third Addendum (Joint Motion). The territory concerned is in Cass County, Missouri. The law requires the Commission to rule on an application no later than 120 days from the application’s filing date,<sup>1</sup> and provides the right to a hearing.<sup>2</sup> The right to a hearing on a territorial agreement signifies a contested case.<sup>3</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities<sup>4</sup> and a decision without a hearing,<sup>5</sup> including by stipulation and agreement.<sup>6</sup> This notice does not require any party to file an answer.<sup>7</sup> The Commission’s rules of discovery are set forth at 20 CSR 4240.2.090.

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<sup>1</sup> Section 394.312.4, RSMO 2016.

<sup>2</sup> Section 394.312.5, RSMO 2016.

<sup>3</sup> Section 536.010(4), RSMO 2016.

<sup>4</sup> Sections 536.060(3) and 536.063(3), RSMO 2016.

<sup>5</sup> Sections 536.060, RSMO 2016.

<sup>6</sup> Section 394.312.5, RSMO 2016; 4 CSR 240-2.115.

<sup>7</sup> Section 536.067(2)(d), RSMO 2016.

The Commission will order notice delivered to other electric service providers, to elected officials and to news media in Cass County, Missouri. The Commission will also set a deadline for intervention and direct the filing of a staff recommendation.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall send a copy of this order and the Joint Motion to the other electric service providers in Cass County, and to the County Commission of Cass County, Missouri.
2. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly representing Cass County, Missouri, and to the news media serving that county.
3. Applications to intervene shall be filed no later than May 4, 2021.
4. The Commission's Staff shall file a recommendation regarding the Joint Motion no later than May 12, 2021.
5. 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

Paul T. Graham, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 12<sup>th</sup> day of April, 2021.