

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

In the Matter of the Application of )  
JERRY WEST and SHARON WEST )  
to Change the Electrical Supplier )  
for Part of their Property. )

File No. EO-2009-0272

**Order to Show Cause**

Issue Date: April 10, 2009

Effective Date: April 10, 2009

The Missouri Public Service Commission orders Jerry and Sharon West (“the Wests”) to show cause why the Commission should not dismiss the Wests’ application for change of electrical supplier (“application”). The Commission will not dismiss the Wests’ application if the Wests intend to pursue it. But if the Wests intend to pursue their application, the Commission must receive a written response to this order no later than April 24, 2009.

The Wests filed their application on November 14, 2008, seeking a change of electrical supplier.<sup>1</sup> The current supplier, AmerenUE, filed its answer on December 19, 2008. The prospective supplier, Cuivre River Electric Cooperative (“Cuivre River”),<sup>2</sup> filed its answer on February 5, 2009. The Commission’s staff (“Staff”) filed its recommendation on March 20, 2009.

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<sup>1</sup> The Wests used a complaint form, so this file originally bore number EC-2009-0193, but the Commission’s January 22, 2009, order changed that number to better reflect the relief that the West’s seek.

<sup>2</sup> According to its response to our April 8, 2009, order, Cuivre River is temporarily supplying electricity to the Wests, and will do so pending these proceedings, but the increasing electrical demands of higher temperatures will require expanded facilities, the cost which may come (at least in part) from Cuivre River’s customers.

On March 24, 2009, the Commission ordered the parties to file conflict dates for a pre-hearing conference and made responses due no later than April 8, 2009. As of the date of this order, AmerenUE and Cuivre River have filed their responses, but the Wests have not responded. The Wests' failure to comply with the Commission's March 24, 2009, order suggests that they do not intend to participate in a pre-hearing conference and, thus, no longer intend to pursue their application.

If the Wests no longer intend to pursue their application, no further action from any party is needed, because the Commission can end these proceedings by dismissing the application. But before the Commission does so, the Wests may show cause why the Commission should not dismiss their application. To show cause why the Commission should not dismiss their application, the Wests must respond to this order by stating that they intend to pursue their application and by complying with our March 24, 2009, order.

If the Wests do so, the Commission will resume these proceedings, including a pre-hearing conference<sup>3</sup> and a hearing to gather evidence on which to decide the complaint. The Wests may participate in the pre-hearing conference and the hearing in different ways, including attending in person or by telephone. But if the Wests do not respond to this order as directed, the Commission will assume that they do not intend to pursue their application, and may dismiss their application.

**THE COMMISSION ORDERS THAT:**

1. Jerry and Sharon West shall file any response to this order no later than April 24, 2009.

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<sup>3</sup> New conflict dates may be necessary.

2. Such response shall:
  - i. state that Jerry and Sharon West intend to pursue the application; and
  - ii. comply with our March 24, 2009, order.
3. This order shall be effective immediately upon issuance.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 10<sup>th</sup> day of April, 2009.