

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

In the Matter of the Application of The Empire	)	
District Electric Company and Ozark Electric	)	
Cooperative for Approval of a Written Territorial	)	
Agreement Designating the Boundaries of	)	<b><u>Case No. EO-2007-0029</u></b>
Exclusive Service Areas for Each within Two	)	
Tracts of Land in Greene County and Christian	)	
County, Missouri	)	

**ORDER AND NOTICE**

Issue Date: July 19, 2006

Effective Date: July 19, 2006

On July 18, 2006, The Empire District Electric Company and Ozark Electric Cooperative filed a Joint Application. The parties ask that the Commission find that the proposed territorial agreement is not detrimental to the public interest and to approve the agreement.

Applicants have mutually agreed to displace competition between themselves as allowed by law and have set out the terms of their agreement. The agreement is attached to the application and marked as Appendix A. No other municipal electric supply systems and investor-owned electric utilities operate within the area covered by the Agreement.

The Commission must rule on the application within 120 days of July 18, 2006 (November 15, 2006), unless otherwise ordered by the Commission for good cause shown. The Commission has determined that the information officer of the Commission will make notice of this application available to the newspapers and other media serving Greene and Christian Counties, Missouri, and to all members of the Missouri General Assembly

representing those counties. Further, the Data Center of the Commission shall serve a copy of this order on the County Commissioners of Greene and Christian Counties.

Proper persons wishing to intervene shall have 20 days from the date of this order to file an application to intervene with the Secretary of the Commission and shall send a copy of the application to intervene to all parties as directed below.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary.

**IT IS ORDERED THAT:**

1. The Data Center shall send a copy of this order to the County Commissioners of Greene and Christian Counties, Missouri.
2. The Information Officer of the Missouri Public Service Commission shall send notice to the members of the General Assembly representing the Applicants' service areas and to the newspapers and other media that serve Applicants' service areas.
3. Any interested person wishing to intervene in this case shall file an application to intervene on or before August 8, 2006, with:

Colleen M. Dale, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and serve a copy on:

Gary W. Duffy, Esq.  
BRYDON, SWEARENGEN & ENGLAND, P.C.  
312 East Capitol  
Post Office Box 456  
Jefferson City, Missouri 65102  
Attorney for Empire District Electric Company

Rodric A. Widger, Esq.  
ANDERECK, EVANS, MILNE, PEACE & WIDGER, L.L.C.  
1111 South Glenstone Avenue, Suite 2-100  
Springfield, Missouri 65804  
Attorney for Ozark Electric Cooperative

and

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

4. That this order shall become effective on July 19, 2006.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Ronald D. Pridgin, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 19<sup>th</sup> day of July, 2006.