

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

In the Matter of the Application of Osage	)	
Valley Electric Cooperative Association and	)	
The City of Harrisonville, Missouri for Approval	)	
Of a Written Territorial Agreement Designating	)	File No. EO-2023-0439
The Boundaries of each Electric Service Supplier	)	
Within the City of Harrisonville, Cass County,	)	
Missouri.	)	

**MOTION FOR WAIVER OF 60-DAY NOTICE REQUIREMENT**

COMES NOW Osage Valley Electric Cooperative Association (“Osage Valley”) pursuant to 20 CSR 4240-4.017, who submits this *Motion for Waiver of 60-day Notice Requirement* (“*Motion*”).

**20 CSR 4240-4.017 — Waiver of 60-Day Notice Requirement**

Osage Valley requests a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case....

Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "... a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case...."<sup>1</sup> As indicated in the *Affidavit and Verification* previously filed by the parties in this case, Osage Valley has not had any communication with the office of the commission, as defined in 20 CSR 4240-4.015(10), within the prior 150 days regarding any substantive issue likely

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<sup>1</sup> Pursuant to the Commission’s *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

to be in this case and circumstances prevented filing the required notice and delaying the filing for sixty (60) days would cause harm.

Accordingly, Osage Valley has established good cause for a waiver from the 60-day requirement of 20 CSR 4240-4.017(1).

WHEREFORE, Osage Valley respectfully requests that the Commission grant the requested waiver of the 60-day notice requirement.

**Respectfully submitted,**

*/s/ Megan E. McCord*

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**Attorney for Osage Valley Electric  
Cooperative**

## CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on September 5, 2023, to the following:

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