

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

In the Matter of the Joint Application of The Empire)
District Electric Company and White River Valley)
Electric Cooperative for Approval of a Change of) File No. _____
Electric Supplier for Certain Customers in Taney)
County, Missouri, and for Reasons in the Public Interest)

JOINT APPLICATION FOR CHANGE OF ELECTRIC SUPPLIER

COME NOW the applicants, The Empire District Electric Company ("Empire") and White River Valley Electric Cooperative ("White River"), by and through their respective counsel, and in support of their Joint Application for Change of Electric Supplier ("Application") submitted to the Missouri Public Service Commission ("Commission") pursuant to RSMo. §394.315.2 and Commission Rules 4 CSR 240-2.060 and 3.140, respectfully state as follows:

1. Empire is a Kansas corporation with its principal office and place of business at 602 South Joplin Avenue, Joplin, Missouri, 64802. Empire is qualified to conduct business and is conducting business in Missouri, as well as in the states of Kansas, Arkansas, and Oklahoma. Empire is engaged, generally, in the business of generating, purchasing, transmitting, distributing and selling electric energy in portions of said states. Empire also provides water service and natural gas distribution service in Missouri. Empire's Missouri operations are subject to the jurisdiction of the Commission as provided by law.

2. A certified copy of Empire's Restated Articles of Incorporation, as amended, was filed in Case No. EF-94-39 and is incorporated herein by reference in accordance with Commission Rule 2.060(1)(G). A Certificate from the Missouri Secretary of State that Empire, a foreign corporation, is authorized to do business in Missouri was filed with the Commission in Case No. EM-2000-369 and is incorporated by reference in accordance with Commission Rule 2.060(1)(G). This information is current and correct. Empire has no pending actions or final

unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Empire's annual report and assessment fees are not overdue.

3. White River is a rural electric cooperative organized and existing pursuant to the laws of the State of Missouri and has its principal office on East Highway 76, Branson, Missouri. It is a Chapter 394 rural electric cooperative corporation engaged in the distribution of electric energy and service to its members within certain Missouri counties.

4. White River has no pending or final judgments or decisions against it from any state or federal agency or court which involve its customer service or rates within the three years immediately preceding the filing of this Application. A copy of a Certificate of Good Standing from the Office of the Missouri Secretary of State for White River was filed in Commission Case No. EO-2004-0246 and is incorporated herein by reference.

5. Correspondence, communications, and orders in regard to this Application should be directed to the undersigned counsel.

6. RSMo. §394.315.2 provides, in relevant part, that the Commission, "upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than rate differential, and the commission is hereby given jurisdiction over rural electric cooperatives to accomplish the purpose of this section."

7. This Application involves electric service provided to two properties. The property addresses and the current electric customers and property owners are as follows: (1) Robert Campa, 2229 Bird Rd, Branson, MO, 65616-9293, and (2) Patricia L Crawford, 2115 Bird Rd, Lot 4, Branson, MO, 65616-9611.

8. Both Empire and White River currently provide electric service to the subject area. Empire holds a certificate of convenience and necessity from this Commission to provide

electric service to an area which includes the subject properties, but the specific properties at issue are currently served by White River.

9. Additional development is taking place in the area, and the developer requested that the White River line which currently serves the two subject properties be removed, as it is interfering with development plans. White River does not object to removing this line, in order to aid development in the area. White River serves only the two subject properties within this development area, while the remainder is served by Empire. Empire has lines currently in place to serve the two subject properties.

10. The customers identified above have consented to the proposed change of supplier from White River to Empire.

11. The proposed change of supplier is in the public interest because it will allow better development of the area. The change also achieves operational efficiencies for the electric suppliers and reduces utility duplication. Thus, the proposed change of supplier is in the public interest for a reason other than a rate differential.

12. A change of supplier request does not require a hearing, and the applicants do not believe this filing will become a contested case. As such, the applicants do not believe this Application is subject to the notice of filing requirement of Commission Rule 4 CSR 240-4.020(2). This Application has been filed as soon as possible after the applicants become aware of the need for the change of supplier, the applicants have not engaged in any communications with the Commissioners or others which would constitute a rule violation if a 60-day notice had been on file, and it would serve no purpose to wait additional time before filing the Application for Commission approval. Should the Commission conclude that the filing of this Application is subject to the notice of filing requirement of 4 CSR 240-4.020(2), applicants request a waiver of

the sixty day notice requirement for good cause shown pursuant to 4 CSR 240-4.020(2)(B).

WHEREFORE, Empire and White River respectfully request that the Commission issue an Order granting this Application and authorizing the change of electric supplier requested herein. The applicants request such additional relief as is just and proper under the circumstances.

Respectfully submitted,

ATTORNEYS FOR EMPIRE:

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

/s/ Diana C. Carter
Diana C. Carter MBE #50527
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ATTORNEYS FOR WHITE RIVER:

CARNAHAN, EVANS, CANTWELL
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/ S /

By

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VERIFICATION

STATE OF MISSOURI)
) ss
COUNTY OF Newton)

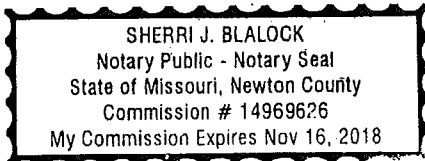
I, Kelly S. Walters, having been duly sworn upon my oath, states that I am the VP & COO-Electric for The Empire District Electric Company and that the matters and things stated in the foregoing Application are true and correct to the best of my information, knowledge, and belief and that I am authorized to execute this verification on behalf of Empire.

Kelly S. Walters

Subscribed and sworn to before me, a notary public, on this 29 day of November 2016.

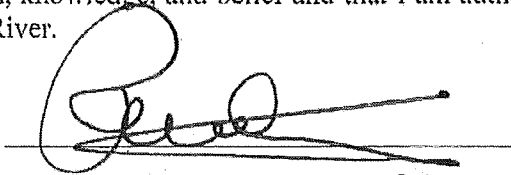
Sherry J. Blalock
Notary Public

My Commission expires: Nov. 16, 2018

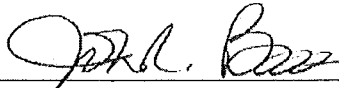


STATE OF MISSOURI)
) ss
COUNTY OF TANEY)

I, Rod A. Romine, having been duly sworn upon my oath, states that I am the COO for White River Valley Electric Cooperative, and that the matters and things stated in the foregoing Application are true and correct to the best of my information, knowledge, and belief and that I am authorized to execute this verification on behalf of White River.



Subscribed and sworn to before me, a notary public, on this 28 day of NOVEMBER 2016.



Notary Public

My Commission expires: 5-4-2017



JOHN BRUNS
My Commission Expires
May 4, 2017
Taney County
Commission #13405415

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was filed in EFIS and that a copy of the same was sent via electronic mail on this 30th day of November 2016, to Counsel for the Staff of the Commission and to the Office of the Public Counsel.

/s/ Diana C. Carter