

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

In the Matter of Application of Michael R. Davis)
for Change of Electric Supplier from Ozark)
Electric Cooperative, Inc. to The Empire District)
Electric Company d/b/a Liberty)
File No. EO-2025-0146

**STAFF’S STATUS REPORT AND
REQUEST FOR ORDER**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and for its Status Report and Request for Order states:

1. On November 4, 2024,¹ Michael Davis filed an application with the Commission requesting a change of electric supplier from Ozark Electric Cooperative (Ozark Electric) to The Empire District Electric Company d/b/a Liberty. On November 7, the Commission issued its Order Directing Notice, Adding Parties, and Directing Responses to Application. Therein the Commission noted that the application was not in compliance with Rule 20 CSR 4240-2.060(2) in that the application was not set out in a verified pleading. The Commission stated that the application must be verified before the Commission would decide on the application. Also on November 7, the Commission ordered Staff to file a pleading no later than November 25, stating a date by which it could submit a recommendation on the application.

2. Staff is propounding data requests to the parties and believes that it will be able to file a recommendation within forty-five days after the applicant has filed a verified application and cured the deficiencies of his application. The Commission did not actually order the applicant to file one by a date certain, stating only that one had to be filed prior

¹ Unless otherwise indicated, all date references are to 2024.

to the Commission's deciding the application. But the applicant has still filed no verified application. As the Commission is aware, there are several pending large rate cases. These cases are work-intensive, fraught with deadlines, and require Staff's immediate and continuous attention and work. Well before it begins preparing memoranda and other pleadings in this case, Staff respectfully asks the Commission to remove an unnecessary uncertainty about the future course of this case and the necessity for Staff's work. Instead of leaving the work with Staff to continue until the applicant actually files an application which the Commission may even consider, the order of all work assignments should be reversed. Staff asks that the Commission order the applicant to correct the deficiency of his application and file a duly verified application no later than ten (10) days of the Commission's order, failing which without further Commission order all Staff's duties with respect to this file shall be and remain suspended until further express order of the Commission.

WHEREFORE, Staff prays that the Commission will accept this status report as compliant with its orders; that the Commission will order Staff to file its recommendation no later than 45 days after the applicant has filed a pleading correcting the deficiencies of his application; that the Commission will order the applicant to file a duly verified application no later than 10 days following the Commission's order, failing which, without further orders, all Staff's duties with respect to this file shall be and shall remain suspended until further express Commission order; and for such other orders as the Commission shall deem appropriate.

Respectively submitted,

/s/ Paul T. Graham

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 25th day of November, 2024.

/s/ Paul T. Graham