

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of The)	
Empire District Electric Company d/b/a)	
Liberty and Ozark Electric Cooperative for)	<u>File No. EO-2025-0253</u>
Approval of a Written Territorial Agreement)	
Designating Boundaries of Exclusive)	
Service Areas for Each in Christian County)	

STAFF'S STATUS REPORT

Comes now the Staff of the Missouri Public Service Commission ("Staff") and makes the following Status Report. On March 20, 2025,¹ The Empire District Electric Company d/b/a Liberty and Ozark Electric Cooperative, (collectively, "Joint Applicants"), jointly filed an application seeking Commission approval of Addendum No. 1 to Third Territorial Agreement. On March 21, the Commission ordered that no later than April 18 Staff should file its recommendation or a status report in this matter.

1. Staff has reviewed the application and its Appendices A through F. The proposed addendum is to the Third Territorial Agreement ("TA3"). The Third Territorial Agreement pertained to only one parcel of land in the City of Ozark, Christian County, Missouri, described in TA3 with a metes and bounds description of an area therein called "single parcel." Addendum No. 1 ("AN1") to TA3 sets out fifteen (15) parcels, therein called, respectively, parcels 1 through 15, again with only a metes and bounds description parcel by parcel. The application contained no maps showing the boundaries of the parties' respective service areas.

¹ All date references will be to 2025 unless otherwise indicated.

2. Rule 20 CSR 4240-3.130 sets out the filing requirements for Applications for Approval of Electric Service Territorial Agreements. 20 CSR 4240-3.130(1)(A) states:

(1) In addition to the requirements of 4 CSR 240-2.060(1), applications for commission approval of territorial agreements and petitions for designation of electric service areas shall include:

(A) A copy of the proposed territorial agreement and a specific designation of the requested boundaries, including maps showing the requested boundaries and a schedule of the applicable Townships, Ranges and Sections, by county. If the requested boundary cannot reliably be ascertained from the information supplied by the applicant, such applicant shall provide additional information as requested by the commission or its staff, if necessary, including the legal description of the area that is the subject of the application or petition.

3. Rule 20 CSR 4240-3.130 (2) states:

(2) If any of the information required by subsections (1)(A)-(E) of this rule is unavailable at the time the application is filed, the application must be accompanied by a statement of the reasons the information is currently unavailable and a date by which it will be furnished. All required information shall be furnished prior to the granting of the authority sought.

4. Staff has concluded that the application is deficient. The deficiency is not merely technical. Staff cannot conclude that an ordinary customer can, with reasonable certainty and convenience, ascertain the parties' respective service areas. Staff has promulgated data requests requiring the Joint Applicants to provide the information omitted from the application.

5. Staff anticipates that unless the Joint Applicants' responses to data requests for adequate maps raise further concerns, Staff will be able to provide a recommendation no later than June 3, 2025. Staff has communicated that proposed deadline to the parties. The responding parties do not oppose that deadline with the understanding, however, that Staff will endeavor to file its report sooner, as may be reasonably possible.

WHEREFORE, Staff prays that the Commission will accept Staff's Status Report as compliant with its orders.

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 17th day of April, 2025.

/s/ *Paul T. Graham*