

Exhibit No. \_\_\_\_\_  
Issues: Merits of Application  
Witness: Daniel I. Beck  
Type of Exhibit: Direct Testimony  
Sponsoring Party: White River Valley  
Electric Cooperative, Inc.  
Case No.: EO-2025-0228  
Date Testimony Prepared: April 23, 2025

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

**CASE NO. EO-2025-0228**

**DIRECT TESTIMONY OF  
DANIEL I. BECK  
ON BEHALF OF  
WHITE RIVER ELECTRIC COOPERATIVE, INC.**

**Holts Summit, MO  
April 2025**

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1. **INTRODUCTION**

2. **Q. Please state your name and job title.**

3. A. My name is Daniel I. Beck. I am currently mostly retired, except for some occasional  
4. consulting work. I was previously employed by the Missouri Public Service Commission  
5. (Commission) as the Manager of Engineering Analysis Unit, Operational Analysis  
6. Department, Commission Staff Division. This was the job title I held at the time of my  
7. retirement from the Commission on March 31, 2020. I worked at the PSC in an  
8. engineering capacity with varying titles from November 1987 to my retirement.

9. **Q. What were your job duties at the PSC?**

10. A. My duties included weather normalization, load forecasting, integrated resource  
11. planning, cost-of-service and rate design. I also had responsibilities regarding electric  
12. safety issues, reliability requirements, vegetation management, infrastructure inspection,  
13. and net metering. I was also involved in issues like territorial agreements, change of  
14. suppliers, certificates of convenience and necessity, and customer complaints.

15. **Q. What is your business address?**

16. A. My address is 12729 County Road 4031, Holts Summit, Missouri 65043.

17. **Q. Please describe your professional qualifications and credentials.**

18. A. **Schedule DIB-1**, attached to my testimony, is a summary of my credentials  
19. which includes a list of cases in which I have previously testified. I am a Registered  
20. Professional Engineer in the State of Missouri. My registration number is E-26953.

21. **PURPOSE AND SCOPE**

22. **Q. With reference to Case No. EO-2025-0228, have you made an examination**  
23. **of the documents filed by White River Valley Electric Cooperative, Inc. (White**

24. **River) and (Liberty) relating to the Application of White River to serve a certain**  
25. **commercial development known as the “Warren Property” or “Elk Valley”?**

26. A. Yes, I have.

27. **Q. What is the purpose of your testimony in this proceeding?**

28. A. The purpose of my testimony is to support the Application of White River which is  
29. seeking an Order from the Commission to allow White River to serve the Elk Valley  
30. property. That consists of a planned commercial development that was recently annexed  
31. into the city of Ozark, Missouri.

32. **Q. Are you sponsoring any schedules in support of your direct testimony?**

33. A. Yes. I am sponsoring **Schedule DIB-01**.

34. **II. MERITS OF THE APPLICATION**

35. **Q. Does the Application filed by White River refer to a specific statute?**

36. Yes. It refers to RSMo 386.800.2 and RSMo 386.800.3 which are subsections and it refers  
37. to RSMo 386.800 generally.

38. **Q. Are you familiar with these statutes?**

39. A. While I was familiar with these statutes when I worked for the PSC, these statutes were  
40. significantly modified by Senate Bill 44 that was passed by the Missouri Legislature during  
41. the 2021 session (101<sup>st</sup> General Assembly), signed by the Governor on July 6, 2021 and  
42. effective August 28, 2021. Most of the modifications from SB 44 that pertain to RSMo  
43. 386.800 are in the two subsections, RSMo 386.800.2 and RSMo 386.800.3. Most of the  
44. text in Subsection 2 was added by SB 44 and addresses the situation where “a majority of  
45. existing developers, landowners or prospective electric customers in the area proposed to  
46. be annexed” may request negotiations and addition actions when a municipally owned

47. electric utility and a rural electric cooperative both have adequate and necessary facilities  
48. to serve customers. Subsection 2 then lists seven factors that shall be considered at a  
49. minimum. Although White River's Application does not involve a municipal electric  
50. utility and a rural electric cooperative, the Application correctly notes that Subsection 3  
51. addresses the similar situation where an electric corporation rather than a municipally  
52. owned electric utility is the lawfully providing electric service to new customers in the city  
53. limits, all provisions of Subsection 2 shall apply equally as if the electrical corporation  
54. were a municipally owned electric utility. All of the text in Subsection 3 was added by  
55. SB44.

56. **Q. Are you aware of any other Cases before the Missouri Public Service Commission**  
57. **where an Application for serving an area that is being annexed was filed by an electric**  
58. **cooperative?**

59. A. Yes. Case No. EO-2022-0190 was filed by Co-Mo Electric Cooperative, Inc. regarding  
60. property being annexed by Boonville, which has Union Electric d/b/a Ameren Missouri as  
61. the predominant supplier. That case was ultimately resolved when the Commission  
62. approved a Stipulation and Agreement, a Territorial Agreement, and an Addendum. The  
63. Territorial Agreement was filed in Case No. EO-2022-0320. This is the only Public  
64. Service Commission Case that I am aware of where an Application for serving an area that  
65. is being annexed was filed by an electric cooperative.

66. **Q. Have White River and Liberty had the Commission approve Territorial**  
67. **Agreements in the past?**

68. A. Yes. I found references to nine (9) different Territorial Agreements in Liberty's tariffs  
69. where the Commission approved Territorial Agreements between White River and Liberty.

70. **Q. What are the seven factors listed in Subsection 2?**

71. A. (1) The preference of the landowners and prospective customers;
72. (2) The rates, terms, and conditions of service of the electric service suppliers;
73. (3) The economic impact on the electric service suppliers;
74. (4) Each electric service supplier's operational ability to serve all or portions of the
75. annexed area within three years of the date the annexation becomes effective;
76. (5) Avoiding the wasteful duplication of electric facilities;
77. (6) Minimizing unnecessary encumbrances on the property and landscape within the area
78. to be annexed; and
79. (7) preventing the waste of materials and natural resources.

80. **Q. Regarding the first factor, has a preference of the landowners, developers and**  
81. **prospective electric customers been established?**

82. A. Yes. I'm familiar with **Schedule CC-03** which is attached to the Direct Testimony of
83. White River witness Cassie Cunningham which is an email and the associated attachments
84. to that email. That email is dated September 28, 2024. It transmitted, among other things,
85. a "Letter of Understanding Regarding Construction of New Electric Facilities" (LOU) that
86. was agreed to by White River and the property developer, Brett Roubal with Missouri
87. Commercial Development, LLC. Additionally, the owner of the property, Elk Valley,
88. LLC, sent a letter to White River, Liberty, and the City of Ozark dated October 28, 2024.
89. That letter is **Schedule CC-02** which is attached to the Direct testimony of White River
90. witness Cassie Cunningham. The effective date of the annexation was approximately a
91. week later, November 4, 2024. There was additional communication between the parties
92. that took place that also indicated the developer's and landowner's preference, but the letter

93. and LOU is definitive.

94. **Q. Regarding the second factor, what are the rates, terms, and conditions of service**

95. **of the electric suppliers?**

96. A. For Liberty, its tariffs are filed and approved by the Commission and can be found on

97. various websites, including the Commission's web site. White River's Rates and Line

98. Extension Policy are approved by their board and are available on their web site. Both the

99. rates and policies for each utility are easily accessible.

100. **Q. Have you reviewed the rates, terms and conditions of service of both electric**

101. **suppliers?**

102. A. Yes, I have.

103. **Q. Regarding the third factor, what is the economic impact on the electric suppliers?**

104. A. Both utilities should be economically capable of serving this prospective property and

105. I would expect that the long-term effect would be positive for both utilities. However,

106. Liberty reported 163,917 customers for calendar year 2023 (Missouri Public Service

107. Commission 2024 Annual Report, page 42) while White River has approximately 48,000

108. customers. Given the fact that Liberty serves approximately three times more customers

109. than White River, it is likely that White River would experience a slightly larger positive

110. economic impact in the long term.

111. **Q. Regarding the fourth factor, what is each service supplier's operational ability to**

112. **serve all or portions of the annexed area within three years of the date the annexation**

113. **becomes effective?**

114. A. Three years is an extremely long lead time of service extension and both utilities

115. could easily meet this requirement. White River has done much of the preliminary

116. work in order to meet an early June 2025 groundbreaking that is the proposed  
117. construction schedule. Most utilities can meet extension requirements for a  
118. development like Elk Valley in a matter of a few months, not a few years.

**119. Q. Regarding the fifth factor, are the utilities capable of avoiding the wasteful  
120. duplication of electric facilities?**

121. A. White River will not need to cross any existing Liberty lines or facilities to serve  
122. the development. White River currently has electric facilities located at the Northwest  
123. corner of the property that it plans to use to serve the development. This prevents  
124. duplication of electrical infrastructure in that area since the electric is already at the edge  
125. of the property.

**126. Q. Regarding the sixth factor, are the utilities able to minimize unnecessary  
127. encumbrances on the property and landscape within the area to be annexed?**

128. A. White River's planned construction of the development includes all underground lines  
129. so there will be minimal above-ground encumbrances on the area and landscape. This  
130. benefits public safety and aesthetics. Since White River has also negotiated an easement  
131. with the developers, the location of the proposed facilities are agreeable for the developer.

**132. Q. Regarding the seventh factor, would the utilities prevent the waste of materials  
133. and natural resources?**

134. A. I believe it would for White River. When a utility builds out its distribution system, it  
135. is prudent to build out facilities that allow for future economic development. However,  
136. annexation imposes limits on future requirements that are difficult, if not impossible to  
137. plan for. It is my understanding that most of the distribution assets that will be serving Elk  
138. Valley has been in place, but predicted loads have not materialized and therefore excess



139. capacity exists in the area. This will enable White River to recover some of the initial  
140. investment into the infrastructure in this area.

**141. Q. To your knowledge, has White River conducted a feasibility study respecting its**  
**142. ability to serve and to assume the new load on its system?**

143. A. Yes. White River has conducted a feasibility study, included as **Highly Confidential**  
144. **Schedule RJ-03** that is attached to the Direct Testimony of White River witness Rick  
145. Johnson. It shows that White River is financially and operationally is fully capable and  
146. able to serve in such a way that will benefit all White River members.

**147. Q. Please describe the physical locations of White River's existing and planned**  
**148. facilities to serve the subject property.**

149. A.-**Schedule RJ-02** contains a map which shows the electrical layout White River intends  
150. to use to serve the planned development within the property. The design includes  
151. underground facilities being fed from the Northwest corner of the property where White  
152. River has existing facilities.

**153. Q. Is White River capable and otherwise qualified to provide the proposed**  
**154. electric service to Elk Valley?**

155. A. I believe so, yes. White River has existing capacity on its substation to serve Elk  
156. Valley and it has a very good operational history dating back to the 1930s. The three-tiered  
157. cooperative system includes the 40 distribution cooperatives, six transmission cooperative  
158. and one generation cooperative (Associated Electric Cooperative Incorporated) that cover  
159. most of the state of Missouri. This system allows the electric cooperatives to take  
160. advantage of economies of scale but still operate the distribution system at a local level. In  
161. addition, the fact that electric cooperatives are member owned allows for checks and

162. balances that are not in place for investor-owned utilities.

**163. Q. Do you believe there is a need for electric service to Elk Valley?**

164. A. Yes. It is hard to imagine our current world without electricity. Sometimes, we forget  
165. that the overall quality of our lives is greatly improved with modern conveniences like  
166. electricity. And commercial and residential developments facilitate those modern  
167. conveniences. Although Ozark was historically west of Highway 65, an aerial photo shows  
168. that there is significant growth that is filling in the area between Ozark and Highway 65.  
169. Developing this property follows the historic trend of development in the area. Elk Valley  
170. is designed for commercial development that aligns with the current demand in the area.

**171. Q. What is the likely effect of White River providing electric service to Elk Valley for  
172. White River's existing customers?**

173. A. Currently Elk Valley does not have any electric service provider and there  
174. are no structures currently existing so no change of service supplier would occur.  
175. Adding the load factor and density of Elk Valley to White River's customer base would  
176. help to stabilize rates into the future. Adding Elk Valley allows additional use of what  
177. would otherwise be stranded assets and investment which will benefit all members  
178. through downward rate pressure.

**179. Q. Would the Commission's grant of White River's Application benefit White  
180. River and its members?**

181. A. Yes it benefits White River because it allows them to serve new customer/members in  
182. an area in which it could not serve without the approval of their Application. It would  
183. allow White River to more accurately plan for future growth and fully utilize its  
184. investments. Leveraging existing assets and increasing density puts downward pressure

185. on future rates increases.

186. **III. CONCLUSION**

187. **Q. Has White River followed the process set forth in RSMo 386.800?**

188. A. Yes. I believe the record in this case reflects that they have.

189. **Q. Does White River serving the Elk Valley development promote the public interest?**

190. A. Based on my previous experience as an Engineer at the Commission, I believe it does.

191. The use of existing facilities, the preference of the landowner and developer, and the likely

192. long- term impact on White River's economic outlook are all reasons that support the

193. public interest. White River has a plan that supports the early June 2025 groundbreaking

194. that is the developer's proposed construction schedule. White River serving the Elk Valley

195. development would support the economic development of the property in question.

196. **Q. Does this conclude your Direct Testimony?**

197. A. Yes, it does.

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

In the Matter of the Application of	)	
White River Valley Electric Cooperative, Inc.	)	Case No. EO-2025-0228
For Approval of Designated Service Boundaries	)	
Within Portions of Christian County, Missouri.	)	

**AFFIDAVIT OF DANIEL I. BECK**

STATE OF MISSOURI                    )  
  )ss  
COUNTY OF Callaway            )

Daniel I. Beck, being first duly sworn on his oath, states:


1. My name is Daniel I. Beck. I am an engineering consultant currently working on behalf of White River Valley Electric Cooperative, Inc. (White River) with regard to this case.
2. Attached hereto and made a part hereof for all purposes is my Direct Testimony on behalf of White River consisting of 11 pages, having been prepared in written form for introduction into evidence in the above-captioned docket.
3. I have knowledge of the matters set forth therein. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded, including any attachments thereto, are true and accurate to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
DANIEL I. BECK

Subscribed and sworn to before me this 23<sup>rd</sup> day of April, 2025.

(notary seal)



  
\_\_\_\_\_  
Notary Public