

Exhibit No. _____
Issues: Merits of Application
Witness: Cassie Cunningham
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

CASSIE CUNNINGHAM

ON BEHALF OF

WHITE RIVER ELECTRIC COOPERATIVE, INC.

**Branson, MO
April 2025**

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1. **INTRODUCTION**

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

3. A. My name is Cassie Cunningham. I am employed by White River Valley Electric
4. Cooperative as Vice President/Chief Growth Officer.

5. **Q. What are your job duties?**

6. A. My job duties include but are not limited to oversight of member relations, economic
7. development, key accounts, community programs, energy services, legislative affairs,
8. communications, and marketing.

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

10. A. White River's headquarters is located at 2449 State Highway 76 East, P.O. Box 969,
11. Branson, MO 65615.

12. **Q. Briefly describe the business of White River Electric Cooperative.**

13. A. White River is a rural electric cooperative that is engaged in the distribution of retail
14. electric energy and related services to our member-owners, in Taney, Christian, Stone,
15. Ozark and Douglas Counties of Missouri. White River is one of forty Missouri distribution
16. cooperatives in Missouri's three-tiered electric cooperative system that collectively owns
17. its own transmission and generation facilities throughout the state.

18. **Q. Please describe your professional qualifications.**

19. A. I oversee the organization's internal and external PR/communications, marketing,
20. legislative affairs, economic development, media relations, member service programs, and
21. shared services for the co-op's fiber subsidiary. I hold elected positions in regional and
22. national capacities throughout the cooperative's extended network, as well as local
23. community development organizations. My education includes a B.A. in PR &

24. Marketing Communications from the University of Missouri-STL and an M.A. in
25. Communications with an emphasis in Integrated Marketing, Non-profit Communications,
26. and Organizational Leadership from Drury University. I have graduate certificates in both
27. Social Media and Crisis, Risk, and Disaster Management. I am certified in Cooperative
28. Communications, Crisis Communications, Data Measurement and Analytics, and Key
29. Account Management. I have also completed Heartland Economic Development
30. Training through the University of Northern Iowa.

31. **Q. Briefly describe your professional background and experience.**

32. A. I have been employed by White River as the Vice President/Chief Growth Officer since
33. 2016. Prior to coming to White River, I have 20 years of experience in communications,
34. Public relations, business management and development.

35. **Q. Have you ever testified in a proceeding before the Missouri Public Service**
36. **Commission?**

37. A. No.

38. **PURPOSE AND SCOPE**

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

40. A. The purpose of my testimony is to support the Application of White River
41. which is seeking an Order from the Commission to allow White River to serve
42. what is known as the Warren Property or Elk Valley development. The Elk Valley
43. development is a planned commercial development recently annexed into the city of Ozark,
44. Missouri.

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

46. A. Yes. I am sponsoring **Schedule CC-01** (Map of Liberty Facilities), **Schedule CC-**

47. **02** (Landowner Notice Letter), **Schedule CC-03** (Email to Liberty September 28, 2024
48. with 3 attachments), **Schedule CC-04** (Annexation Petition with WRVEC Easement),
49. **Schedule CC-05** (December 16, 2024 Alderman Packet with OWN report), **Schedule**
50. **CC-06** (Minutes of 1st reading of franchise 12/16/24), **Schedule CC-07** (Minutes of 2nd
51. reading of franchise 1/6/25 & executed franchise agreement), **Schedule CC-08** (Bylaws,
52. Membership Agreement, Line Extension Policy).

53. **II. MERITS OF THE APPLICATION**

54. **Q. How did White River's interest in serving Elk Valley come about?**

55. A. Like any other utility, White River is always looking for opportunities to increase
56. its customer base for economic reasons. But beyond that, like all Missouri electric
57. cooperatives, White River's member-elected board of directors is committed to improving
58. the quality of life in rural Missouri by promoting economic development in and around the
59. communities we serve. The developers for Mr. Warren's property are Brad Thessing and
60. Brett Roubal with Commercial Development, LLC. The developers initially reached out
61. to our economic development team at the beginning of 2023 regarding electric service to
62. this property. Subsequently, we entered into a Letter of Understanding Regarding
63. Construction of New Facilities (LOU) with the developers in November 2023, which is
64. attached as Page 88 of **Schedule CC-03**. The owner of the property at issue in this case is
65. Elk Valley, LLC, which is owned and operated by Joe Warren who himself is a current
66. member of White River. Pages 4 through 52 of **Schedule CC-03** contains a deed to
67. the subject property which shows Elk Valley, LLC as the owner. **Schedule CC-02** is the
68. landowner notice letter sent by Joe Warren, a Member of Elk Valley, LLC, to White River
69. on October 28, 2024, requesting service to the subject property.

70. **Q. Do you know when Liberty was first made aware of the landowner's and**
71. **developer's preference to have White River serve the Elk Valley commercial**
72. **development?**

73. A. **Schedule CC-03** is an email White River sent to Liberty on September 28, 2024
74. requesting the two utilities enter into good faith negotiations of a territorial agreement that
75. would allow White River to serve the Elk Valley property. That email contained an
76. attachment of the LOU between the developer and White River, which is found on Page
77. 88. It also contained a map on Page 87, and a packet from the September 23, 2024 Ozark
78. Planning and Zoning meeting regarding the Elk Valley property which are on Pages 4-86.
79. We sent a copy of that Mr. Warren's notice letter, which is **Schedule CC-02**, to Liberty on
80. December 17, 2024 and asked to enter into good faith negotiations again.

81. **Q. Did negotiations occur?**

82. A. Yes. Staff from White River and Liberty had many discussions in the last quarter of
83. 2024 regarding possible amendments to territorial agreements. However, despite multiple
84. requests from us to discuss Elk Valley, Liberty did not respond with any scenario that
85. allowed White River to provide the service to that property until after this case was
86. commenced. We did meet with Liberty again on February 26, 2025 to discuss and
87. negotiate service to Elk Valley and other territorial matters.

88. **Q. Were those negotiations with Liberty successful?**

89. A. No.

90. **Q. Why not?**

91. A. Unfortunately, despite Liberty being aware of White River's intent to serve Elk Valley
92. since October 2024, Liberty was unwilling to consider any scenario that allowed White

93. River to serve Elk Valley until after our Application filing. We had to file this Application
94. when we did in order to meet the construction schedule which has groundbreaking set for
95. early June.

96. **Q. Has White River in the past ever worked with a developer or through an**
97. **economic development initiative to develop property and then not be able to**
98. **provide service to the property after annexation due to "the 1500/1600**
99. **rule"?**

100. A. There are several developments in and around Branson and Ozark where White River's
101. initial expectations were to serve the entire area, but municipal annexation led to White
102. River's assets being stranded or frozen. The Elk Valley property is being affected by the
103. same statute, even with modification to the statute that now allows options during pre-
104. annexation. The existing facilities that will be used to serve Elk Valley were originally
105. constructed by White River in 1996 to meet the needs of rural residents and plan for
106. predicted load growth in the area. However, because of municipal annexation in these areas
107. and duplication of services with Liberty Utilities for retail load competition, White River
108. has not been able to make full use of its existing capacity and facilities in the immediate
109. area.

110. **Q. Did White River seek permission from the City of Ozark to serve inside its**
111. **municipal boundaries?**

112. A. Yes. We began diligently working with the city in the middle of October 2024 to obtain
113. a franchise agreement. The city proposed a franchise agreement that matches
114. Liberty's but also requires White River to comply with some newer ordinances the City
115. has recently passed such as a "dark sky" provision that requires us to use certain street

116. energy efficient street lighting fixtures. We did some internal research and decided we
117. could comply with those additional requirements. The City of Ozark placed our franchise
118. on their December 16, 2024 Aldermen Meeting Agenda for first reading. The Agenda and
119. and meeting packet are attached as **Schedule CC-05**. Minutes of that meeting are attached
120. as **Schedule CC-06**. The second reading was taken up at the Aldermen's meeting on
121. January 6, 2025 and the franchise was unanimously approved at that meeting. Minutes of
122. the January 6, 2025 Aldermen meeting and the approved franchise agreement are attached
123. as **Schedule CC-07**. I attended the meetings for both readings.

124. **Q. Does White River today have a franchise to serve within the city boundaries of**
125. **Ozark, Missouri?**

126. A. Yes. Ozark approved our franchise agreement which is attached as **Schedule CC-07**.

127. **Q. To your knowledge, did the City of Ozark grant White River's franchise**
128. **after going through its usual municipal public process?**

129. A. Yes. **Schedule CC-05**, **Schedule CC-06** and **Schedule CC-07** show the public process
130. that the City went through.

131. **Q. To your knowledge, were any objections raised to the granting of White River**
132. **Valley its franchise during the process?**

133. A. No. **Schedules CC-06** and **CC-07** do not show that any objections were received
134. by the City.

135. **Q. To your knowledge, does the franchise granted to White River by the City of**
136. **Ozark differ in any material respect from the franchise it granted to Liberty?**

137. A. No. It is my understanding that the City is receiving the same public benefits
138. and has imposed the same conditions on both White River and Liberty for

139. the right to provide electric service inside the City.

140. **Q. Are there any other electric service providers in the same general area as**

141. **Elk Valley?**

142. A. Yes. Liberty of course has facilities in the area. There are no other

143. electric providers in the area as far as I am aware since there is no municipal utility in Ozark

144. and there are no other rural electric cooperatives with facilities in the same general area.

145. **Schedule CC-01** is a map of Liberty's facilities in the area of the Elk Valley property.

146. **Q. Please describe the physical locations of White River's existing and planned**

147. **facilities that will serve the Elk Valley development.**

148. A. White River plans to serve the entire development from the existing facilities that are

149. currently serving load on adjacent parcels. Pages 4 and 9 of **Schedule CC-04** show the

150. connection to our existing facilities that will be constructed in the northwest corner of the

151. property.

152. **Q. Is White River capable and otherwise qualified to provide the proposed**

153. **electric service to Elk Valley?**

154. A. Definitely. White River has been in the business of providing safe, reliable,

155. and affordable electricity at retail to members since 1939. We have existing capacity

156. on our substation to serve Elk Valley. We have received all necessary

157. construction permits, easements and franchises from private landowners and

158. governmental entities to enable us to serve Elk Valley, pending the outcome of this

159. present case.

160. **Q. To your knowledge, has Liberty obtained all the necessary**

161. **construction permits, easements and franchises from private landowners and**

162. **governmental entities that would allow it to serve Elk Valley?**

163. A. I do not know. I do know that we have a signed easement for this planned service
164. from the landowner which is included in **Schedule CC-04**.

165. **Q. What resources does White River have that will enable it to provide Elk**
166. **Valley with safe, reliable, and affordable electric service?**

167. A. We have been doing it throughout our service territory since our inception in the 1930s.
168. White River currently has more than 120 full-time employees along with adequate
169. equipment all housed at five office locations. The Cooperative is committed to
170. providing the necessary employees and equipment to maintain and enhance service to any
171. new member and to its existing member-owners in its service territory. White River
172. is a member of the rural electric cooperative system in Missouri. The electric cooperatives
173. in Missouri have banded together to create a power supply system comprised of a three-
174. tier generation cooperative, six transmission cooperatives and forty distribution
175. cooperatives. White River has long-term all-requirements wholesale power contracts with
176. two transmission cooperatives under which those transmission cooperatives are
177. obligated to deliver all of White River's bulk wholesale power requirements 24/7/365.
178. White River is an eligible borrower under the Rural Utilities Service of the U.S.
179. Department of Agriculture and has longstanding relationships with various private lending
180. institutions. White River possesses all of the financial resources necessary to fund
181. the construction required to serve Elk Valley. Simply stated, White River has available on
182. a long-term contractual basis, all the financial, transmission, generation, and other
183. resources needed to serve the electric needs of its current and future member-owners.
184. **Q. In your time at White River, has the Cooperative had any notable service issues or**

185. **economic difficulties?**

186. A. No. Not at all. White River has consistently had excellent reliability and financial
187. stability. We are a consumer/member-driven organization and as such, have a “Bylaws,
188. Governance, and Engagement Committee” that consists of three board members and board
189. chair, the CEO, and two additional executive staff members. The Committee meets
190. monthly to quarterly, as needed, to evaluate best practices and continually improve the
191. organization. Each member has a direct pipeline to voice comments and/or suggestions to
192. the committee through our Member Alliance Program. Each time the committee meets, it
193. reviews and evaluates the comments and suggestions of members. Implementation is
194. considered in accordance with industry best practices, cooperative betterment, and the
195. membership as a whole. This program helps us stay on top of any service concerns our
196. members may have from time to time. Our customer satisfaction is measured annually
197. through the American Customer Satisfaction Index (ACSI). Our five-year average is
198. 88/100. The national average for the utility industry is 75. We also carry a Net Promoter
199. Score average upwards of 80/100, which indicates a top percentile of customer loyalty and
200. advocacy for any industry.

201. **Q. Will White River pay local sales and property tax as a result of providing**
202. **service to Elk Valley?**

203. A. Yes. We have over 5,000 miles of line we pay taxes on each year. We also pay personal
204. property taxes on our entire fleet of vehicles and equipment. White River pays taxes in all
205. five counties where our assets are located. We also remit franchise taxes to municipalities
206. in accordance with their local ordinances.

207. **Q. From a local taxation perspective, will it make any difference if White River**

208. **rather than Liberty serves Elk Valley?**

209. A. No. White River pays the same local taxes that Liberty does.

210. **Q. What rates, terms, and conditions of service would White River apply to**
211. **new Elk Valley member-owners if the Commission grants White River's**
212. **Application?**

213. A. We treat all our member-owners the same and that includes any new commercial
214. member-owners in Elk Valley. Our rate sheet for all commercial customers is found in
215. **Schedule RJ-04** which is attached to the Direct Testimony of White River witness Rick
216. Johnson. We will apply those same commercial rates to the electric consumers of Elk
217. Valley that all other commercial members of White River are charged. Our commercial
218. rates over the last 10 years demonstrate our history of rate stability during a time of
219. significant upward rate pressure industry wide. The commercial rate history is contained
220. in **Schedule RJ-04** which is attached to the Direct Testimony of White River witness Rick
221. Johnson. The terms and conditions of service are found in our Bylaws, commercial
222. membership agreement, and line extension policy, which are collectively presented as
223. **Schedule CC-08.**

224. **Q. Would White River serving the Elk Valley development minimize unnecessary**
225. **encumbrances on the property and landscape?**

226. A. Absolutely. White River's planned construction of the Elk Valley development
227. includes all underground lines so there will be minimal above-ground encumbrances on
228. the area and landscape. This benefits both public safety and landscape aesthetics.

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

230. A. Yes. Christian County is rapidly developing and the population is growing. Many new

231. residential developments are under construction in Ozark, especially along the Highway
232. 65 corridor with White River electric service established on property or adjacent. We aim
233. to give consumers the lowest-cost option with best-in-class service to meet their needs.
234. These new residential properties are expected to also increase the demand for additional
235. commercial sites. Elk Valley is designed for commercial development that aligns with the
236. growing demand in the area.

237. **Q. What is the likely effect of White River providing electric service to Elk Valley on**
238. **your members/customers?**

239. A. Our members would not experience a rate increase due to the construction of facilities
240. to serve Elk Valley. Adding the load factor and density of Elk Valley to our customer/
241. member base would help to stabilize rates into the future. Adding Elk Valley
242. allows additional use of what would otherwise be stranded assets and investment which
243. will benefit all members through downward rate pressure.

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

246. A. Yes. It benefits us because it allows White River to serve new customers/members in
247. an area we could not serve without the approval of our Application. It would
248. allow White River to more accurately plan for future growth and fully utilize its
249. investments. Leveraging existing assets and increasing density puts downward pressure
250. on future rates increases for all of our nearly 48,000+ members. White River's equity is
251. growing and strong at 43% as a percentage of total assets as of \$467,500,422.
252. White River's loan covenants require White River to maintain equity at or
253. above 25%. White River has committed to collect franchise fees for any service within

254. the city limits of Ozark, helping strengthen the city's financial ability. White River pays
255. property taxes on its assets which strengthens the state and county financial position.
256. White River works with its subsidiary to install the electrical and fiber facilities together,
257. which saves resources and allows the member-owner access to high-speed internet and
258. telephone services.

259. **III. CONCLUSION**

260. **Q. Has White River followed the process set forth in RSMo 386.800 which**
261. **provides a way for White River to honor the landowner and developers' request for**
262. **White River to provide service to Elk Valley?**

263. A. Yes we have certainly tried to the best of our ability to follow that process. The
264. landowner and developer want White River to be the electric supplier to Elk Valley and
265. we urge the Commission to allow White River to honor that request.

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

267. A. Yes, it does.

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

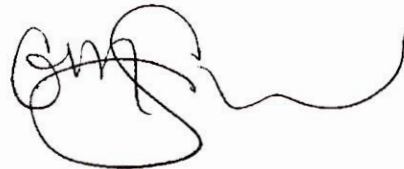
In the Matter of the Application of)
White River Valley Electric Cooperative, Inc.) Case No. EO-2025-0228
For Approval of Designated Service Boundaries)
Within Portions of Christian County, Missouri.)

AFFIDAVIT OF CASSIE CUNNINGHAM

STATE OF MISSOURI)
COUNTY OF Taney)ss

Cassie Cunningham, being first duly sworn on her oath, states:

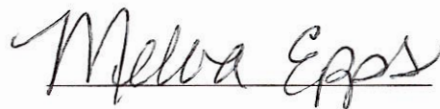
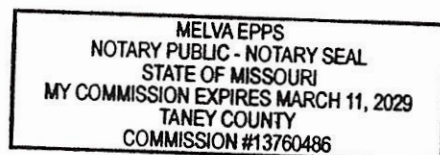
1. My name is Cassie Cunningham. I am the Vice President/Chief Growth Officer of White River Valley Electric Cooperative, Inc. (White River).
2. Attached hereto and made a part hereof for all purposes is my Direct Testimony on behalf of White River consisting of ___ pages, having been prepared in written 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.



CASSIE CUNNINGHAM

Subscribed and sworn to before me this 23 day of April, 2025.

(notary seal)



Notary Public