

In the Matter of the Application of)
Roger Pritchett for Change of) File No. EO-2017-0217
Electric Supplier)

COMES NOW The Empire District Electric Company (“Empire”), by and through counsel, and in response to the Application for Change of Electric Service Provider (“Application”) filed herein by Roger Pritchett (“Pritchett” or “Customer”) and the *Order Directing Notice, Adding Parties, and Directing Responses to Application* issued herein on February 7, 2017, by the Missouri Public Service Commission (“Commission”), respectfully states as follows:

1. Empire admits the allegations of paragraphs 1-4 of the Application. Empire further states that it 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.

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provides that “(o)nce an electrical corporation . . . lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure . . .” Upon application by a customer, the Commission may order a change of supplier only if “it is in the public interest for a reason other than a rate differential.”

3. Empire denies all allegations of the Application not specifically admitted herein.

4. Empire, an electrical corporation, lawfully commenced supplying retail electric energy to Mr. Pritchett’s residence (a structure) through permanent service facilities, currently provides safe and adequate electric service to Mr. Pritchett’s residence at just and reasonable rates, and is unaware of any fact or circumstances that would make a change of supplier in the public interest.

WHEREFORE, Empire respectfully requests that the Commission dismiss or deny the Application and grant such additional or further relief as is just and proper under the circumstances.

Respectfully submitted,

ATTORNEYS FOR EMPIRE:

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

/s/ Diana C. Carter

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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 or regular mail on this 9th day of March, 2017, to the Applicant, Ozark Electric Cooperative, Counsel for the Staff of the Commission, and the Office of the Public Counsel.

/s/ Diana C. Carter