

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of
January, 2018.

In the Matter of the Joint Application of)
Macon Electric Cooperative and the City of)
Marceline for Approval of a Change of)
Electric Supplier for Certain Customers in) **File No. EO-2018-0111**
Linn and Chariton Counties for Reasons in)
the Public Interest)

ORDER APPROVING CHANGE OF SUPPLIER

Issue date: January 3, 2018

Effective Date: February 2, 2018

On August 28, 2017, the Macon Electric Cooperative ("Macon") and the City of Marceline ("Marceline"), filed a joint application with the Missouri Public Service Commission ("Commission"), requesting to change the electric supplier for 16 properties currently served by Marceline. The 16 properties consist of six properties in Linn County and ten properties in Chariton County; none of the properties are within the Marceline city limits.

Marceline is unable to maintain or perform necessary system upgrades on the line serving these sixteen properties due to the remote location of the properties and insufficient revenue for required maintenance expenses. Marceline has agreed to pay expenses to remove existing lines and Macon has agreed to pay to construct new lines; customers would not be responsible for either expense. The 16 property owners have consented to the change of electrical supplier.¹

¹ One owner/tenant's *Customer Account Transfer Consent Form* was signed by a relative claiming power of attorney for that owner/tenant.

On December 19, 2017, the Commission's Staff filed its recommendation to approve the change of supplier request. Staff recommends that the Commission grant the joint application, finding that the request for a change in electric supplier is in the public interest for a reason other than a rate differential.

Macon Electric Cooperative and the City of Marceline are not entities usually under the jurisdiction of the Commission; however, when applying to change supplier both parties submit to the Commission's jurisdiction under Section 394.315.2 RSMo. Therefore, the application is within the Commission's jurisdiction to decide. Since no law requires a hearing, this is a non-contested case.² Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.³ Consequently, the Commission bases its decision on the verified filings.

Section 394.315.2, RSMo, gives the Commission authority to order a change of supplier on the basis that it is in the public interest for a reason other than a rate differential. The Commission has reviewed the joint application as well as Staff's recommendation and memorandum, and finds that the request is in compliance with all applicable statutes and rules and is in the public interest for a reason other than a rate differential. Based upon its independent and impartial review, the Commission will approve the application.

THE COMMISSION ORDERS THAT:

1. The joint application to change electric supplier from the City of Marceline, to the Macon Electric Cooperative is approved.

² Section 536.010(4), RSMo 2016, defines a "contested case" as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing."

³ *Sapp v. City of St. Louis*, 320 S.W.3d 159, 163 (Mo. App. 2010).

2. This order shall become effective on February 2, 2018.
3. This file may be closed on February 5, 2018.

BY THE COMMISSION



A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Clark, Regulatory Law Judge


STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 3rd day of January 2018.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

January 3, 2018

File/Case No. EO-2018-0111

**Missouri Public Service
Commission**

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.