

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

In the Matter of the Application of Osage)
Valley Electric Cooperative for Approval)
of a Change in Electric Suppliers for) Case No. _____
for Certain Customers within the City of)
Clinton for Reasons in the Public Interest.)

APPLICATION FOR CHANGE OF ELECTRICAL POWER SUPPLIERS

COMES NOW Osage Valley Electric Cooperative (“Osage”), for its Application for a change of electrical suppliers for certain customers within the City of Clinton, Missouri from Osage to Kansas City Power and Light (“KCPL”), pursuant to Section 394.315, RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.140, and respectfully states as follows:

APPLICANT

1. Osage is a rural electric cooperative organized and existing under the laws of Missouri and has its principal office on at P.O. Box 151, Butler, Missouri. It is a Chapter 394 rural electric cooperative corporation engaged in the distribution of electric energy and service to its members within several counties in western Missouri. Osage has no pending or final judgments or decisions against it from any state or federal agency or court which involve its customer service or rates within the three years immediately preceding the filing of this Joint Application. A copy of a Certificate of Good Standing from the Office of the Missouri Secretary of State for Osage was filed in Case No. EO-2004-0603 and said document is incorporated herein by reference in accordance with 4 CSR-2.060(1)(G).

2. Correspondence, communications and orders in regard to this Application should be directed to:

Craig S. Johnson
Mo Bar # 28179
Johnson & Sporleder, LLP
304 E. High St., Suite 200
P.O. Box 1670
Jefferson City, MO 65102
(573) 659-8734
(573) 761-3587 FAX
cj@cjlaw.com

FACTS

3. Osage currently provides electrical service to three residential customers at three structures, located within the city limits of Clinton, Missouri, and within the certificated service area of KCPL: Pam Cochran, 1511 S. 8th Street, Clinton, Missouri; James A. Groff, 102 S. Vansant Street, Clinton, Missouri; Robert Robinson, 2053 S. 8th Street, Clinton, Missouri; and to another location without any currently served structure also owned by Robert Robinson, being 2045 S. 8th Street, Clinton, Missouri.

4. The description of the type of structures at each of these four locations is as follows:

a. 1511 S. 8th Street: the structure served at this location consist of a house and attached single-car garage.

b. 102 S. Vansant Street: the structures served at this location consist of a house and attached two-car garage and a detached two-car garage.

c. 2053 S. 8th Street: the structure served at this location consist of a house and attached two-car garage.

d. 2045 S. 8th Street: the structure previously existing at this location was demolished or razed in approximately 2008. Osage still maintains service drop facilities with no meter present at this location, but no structure is currently served.

5. Applicant is here requesting to transfer or change the electrical power supplier for the above-listed four customer locations and their related service accounts from Osage to KCPL. Osage requests the customer transfer or change for reasons other than a rate differential.

6. The reasons that Osage requests this change for these four customer locations are as follows: There is a single line serving all four locations. The Osage line runs parallel to Vansant Road, along which road KCPL also has a line. The Osage line duplicates a facility of KCPL. The Osage line was constructed by Osage along Vansant in 1949, and along South 8th Street in 1952, when these four locations were not located within the city limits of Clinton. The area including these four locations was subsequently annexed into the City of Clinton, which precluded Osage from serving other customers from this line. For the last 61 years Osage has operated and maintained this line to serve these four customer locations. Osage has to maintain 1.7 miles of three phase overhead lines, 1.3 miles of single phase overhead lines, and .7 miles of single phase underground line in order to serve these four locations. The line is now a high maintenance line for Osage. It needs to be rebuilt in order to provide reliable service in the future. The cost of rebuilding the line is not justified by the revenues to be obtained from those three customer locations. As there is no potential for growth, and the area surrounding the line is the service territory of KCPL, it makes more business sense to

transfer these four customers to KCPL, and remove Osage's existing line, rather than to rebuild the line.

7. Osage and KCPL have discussed this proposed transfer or change. Osage and KCPL have worked out reasonable arrangements between them in order to effectuate the change without service interruption. It is Osage's belief that the terms of the proposed transfer or change are satisfactory to KCPL.

8. Osage has discussed the proposed transfer with the three affected property owners and customers, as well as with the tenant, Brandi Morlan, of the fourth parcel at 2053 South 8th St. that is owned by Robert Robinson. Robert Robinson also owns the parcel at 2045 South 8th St. that currently has no structure receiving Osage electrical service. Osage provided the pertinent information to them as to how they would be affected by the change of suppliers. Written consents obtained from James A. and Joan S. Groff and from Brandi Morlan are attached hereto as Exhibit 1 and Exhibit 2 respectively. With respect to Pam Cochran, she has no specific objections to the change, but is waiting for a commitment from Robert Robinson before committing herself. Mr. Robinson has not expressed his consent to Osage Valley. Although one of his locations does not currently have a structure located along the his side of the roadway (the West side), Mr. Robinson was concerned that in the future KCPL might relocate the line KCPL currently has in place on the East side of the South 8th Street to his side of the roadway. KCPL has issued a letter to Mr. Robinson indicating such relocation is not likely to occur as can be seen in Exhibit 3.

STATUTE

9. Section 394.315.2, RSMo provides in relevant part that “[t]he public service commission, upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential, and the commission is hereby given jurisdiction over rural electric cooperatives to accomplish the purpose of this section.”

PUBLIC INTEREST

10. The proposed change of supplier is in the public interest because it will allow the continued provision of electric service to the identified customers in the most engineering and economically efficient manner. Thus, the proposed change of supplier is in the public interest for a reason other than a rate differential.

WHEREFORE, Osage respectfully request that the Commission issue its order:

(a) Finding that the change of electric supplier proposed herein is in the public interest and approving the proposed change of electric supplier; and

(b) Granting such other relief as is deemed necessary to accomplish the purposes of this Application.

Respectfully submitted,



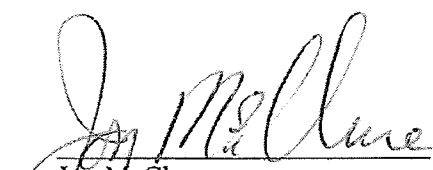
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Counsel for Osage Valley Electric
Cooperative

**VERIFICATION,
Osage Valley Electric**

STATE OF MISSOURI)
) ss
COUNTY OF BATES)

I, Jon McClure, General Manager of Osage Valley Electric Cooperative, hereby verify and affirm that I have read the foregoing Application of Osage Valley Electric for a change of electrical suppliers for certain customers within the City of Clinton from Osage Valley to Kansas City Power and Light. The statements contained therein are true and correct to the best of my knowledge, information, and belief.



Jon McClure

Subscribed and sworn to before me this 8 th day of November, 2010.



Notary Public

My commission expires: May 1, 2013

WM. BRETT BURNS Notary Public - Notary Seal State of Missouri Commissioned for Henry County My Commission Expires: May 01, 2013 Commission Number: 09492284
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was electronically mailed to the following attorneys of record in this proceeding this 9th day of November, 2010:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov

Office of Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

/s/ Craig S. Johnson
Craig S. Johnson

Consent to Change of Electric Power Supplier

TO: The Missouri Public Service Commission

We, James A. and Joan S. Groff, husband and wife, are the owners and occupants of the residence located at 102 South Vansant Street, Clinton, Missouri, 64735. Osage Valley Electric Cooperative has provided the electrical service to our residence for the past several years. The electrical service is in our names.

Recently, Osage Valley informed us that it is interested in changing our power supplier from Osage Valley to Kansas City Power and Light. Osage Valley told us that its power line that serves me also serves 2 other residences, and one empty lot. Osage Valley said that at the time it first provided service to my location, our location was not then within the city limits of Clinton, Missouri. As it is now inside the city limits Osage Valley says it has no prospect of serving additional customers from the power line that serves me. Osage Valley indicated that the power line serving me is old and in need of repair, and that it should be replaced in order to provide reliable electric service in the foreseeable future. Osage Valley said it made more business sense for it to terminate its provision of electrical service to my residence and the others served by its power line, than to replace it with a new line.

Osage Valley said Kansas City Power and Light and Osage Valley have an agreement to switch our residence from Osage Valley to KCPL, but the change has to be approved by the Public Service Commission of Missouri. Osage Valley indicated that it and KCPL would be responsible for the change of power lines serving us, and that there would be no cost charged to us for the change of facilities. Osage Valley has provided us with a comparison of my electric bill under its rates, and what they would have been under KCPL's rates. I understand that, if this change is approved by the PSC, after service is taken over by KCPL we are responsible to pay the KCPL rates.

Osage Valley said that if the PSC does not approve the change, Osage Valley will proceed with replacing the line and continuing to provide service to us.

Based on the information provided us, we would like to inform the Missouri Public Service Commission that we do consent to our electrical power supplier being changed from Osage Valley Electric to Kansas City Power and Light.

James A. Groff
James A. Groff
(seal)

Joan S. Groff
Joan S. Groff

Subscribed and sworn to before me this 7 th day of June, 2010.

Wm Brett Burns
Notary Public

My commission expires: May 1, 2013

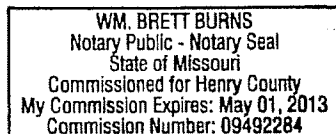


Exhibit 1

Consent to Change of Electric Power Supplier

TO: The Missouri Public Service Commission

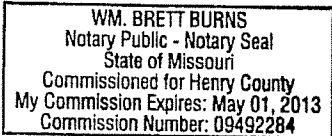
My name is Brandi Morlan. I am the occupier of the residence located at 2053 South 8th Street, Clinton, Missouri, 64735. Osage Valley Electric Cooperative has provided the electrical service to my residence for the past several years. The electrical service is in my name.

Recently, Osage Valley informed me that it is interested in changing my power supplier from Osage Valley to Kansas City Power and Light. Osage Valley told me that its power line that serves me also serves 2 other residences, and one empty lot. Osage Valley said that at the time it first provided service to my location, my location was not then within the city limits of Clinton, Missouri. As it is now inside the city limits Osage Valley says it has no prospect of serving additional customers from the power line that serves me. Osage Valley indicated that the power line serving me is old and in need of repair, and that it should be replaced in order to provide reliable electric service in the foreseeable future. Osage Valley said it made more business sense for it to terminate its provision of electrical service to my residence and the others served by its power line, than to replace it with a new line.

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Osage Valley said that if the PSC does not approve the change, Osage Valley will proceed with replacing the line and continuing to provide service to me.

Based on the information provided me, I would like to inform the Missouri Public Service Commission that I do consent to my electrical power supplier being changed from Osage Valley Electric to Kansas City Power and Light.

(seal) 

Brandi Morlan
Brandi Morlan

Subscribed and sworn to before me this 9 th day of June, 2010.

Wm Brett Burns
Notary Public

My commission expires: May 1, 2013

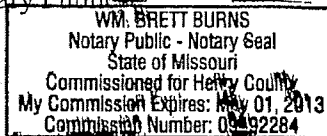


Exhibit 2



Mr. Brett Burns
Osage Valley Electric Cooperative Association
1321 N Orange Street
P.O. Box 151
Butler, Missouri 64730-0151

RE: Robert A. Robinson landowner concerns over future distribution along the west side of 8th street in Clinton, MO

Dear Mr. Burns

As we discussed, Kansas city Power and Light has no current or future plans to install another overhead power line along the west side of 8th in front of Mr. Robinson's property. The existing distribution line located on the east side of 8th street serves all of our customers along the route, as well south to Sparrowfoot area of Truman Lake along Hwy 13.

As I previously stated, it appears that the Truman Lake property abuts Mr. Robinson's property and essentially cuts off any future development to the south and southwest. Therefore no additional lines are needed to feed those directions. Our Clinton District Operations groups agrees with that assessment, also sees no need for future additional overhead power lines along 8th street on Mr. Robinson's property.

If Mr. Robinson has any other questions or concerns please have him contact me.

A handwritten signature in black ink that reads "Dan Slaven". The signature is written in a cursive, slightly slanted style.

Dan Slaven
Senior Transmission Engineer
Kansas City Power & Light

816-242-6463

cc: Mr. Alan Bax, MoPSC Engineer

Exhibit 3