

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

|  |   |                |
|--|---|----------------|
| In the Matter of the Joint Application of      | ) |                |
| The City of Odessa, Missouri, and              | ) |                |
| West Central Electric Cooperative for Approval | ) | Case No. _____ |
| Of a Change in Electric Supplier for Certain   | ) |                |
| Customer for Reasons in the Public Interest.   | ) |                |

**JOINT APPLICATION**

COME NOW the City of Odessa, Missouri (City) and West Central Electric Cooperative, Inc. (West Central), hereinafter referred to collectively as "Applicants," and for their Joint Application, pursuant to Section 394.315, RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.140, respectfully state as follows:

**APPLICANTS**

1. The City of Odessa, Missouri, is a political subdivision of the 4th Class organized and existing under the laws of Missouri with its principal office located at P.O. Box 128, 125 S. Second Street, Odessa, Missouri, 64076. The City owns, maintains and operates an electric distribution system for its citizens and inhabitants.

2. West Central Electric Cooperative is a rural electric cooperative organized and existing under the laws of Missouri with its principal office at 7867 S. Highway 13, P.O. Box 452, Higginsville, Missouri, 64037. It is a Chapter 394 rural electric cooperative corporation engaged in the distribution of electric energy and service to its members within certain Missouri Counties including Lafayette County. West Central has no pending or final judgments or decisions against it from any state or federal agency or court that 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 West Central is attached hereto and marked **Appendix A**.

3. Correspondence, communications, and orders in regard to this Joint Application

should be directed to:

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**FACTS**

4. City currently provides electrical service to Action Products Company, Inc (“Action”), at its premises located on Main Street Extension near Odessa, Missouri, in unincorporated Lafayette County. This customer is an industrial customer receiving electric service at 60 Hertz three-phase alternating current with a billing demand of greater than 100kW.

5. The City's service to Action, though longstanding, is outside the incorporated limits of the City and the City has no intent to annex the customer's premises into its municipal boundaries. West Central may lawfully supply electric service at the rural premises of Action pursuant to a change of supplier Order issued by the Commission.

6. A diagram of the property, City's existing line and West Central's proposed line extension from its pre-existing facilities is attached hereto and marked **Appendix B**. All relevant sites are located outside the city limits of the City.

7. Action affirmatively desires and consents to the proposed change of supplier from City to West Central. Its written consent is attached hereto as **Appendix C**.

#### **STATUTORY AUTHORITY**

8. 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 rate differential, and the commission is hereby given jurisdiction over rural electric cooperatives to accomplish the purpose of this section." Section 91.025.2, RSMo establishes jurisdiction of the Commission over the City for purposes of this Application.

#### **PUBLIC INTEREST**

9. The proposed change of supplier is in the public interest because:
- a. It will remove the uncertainty of the lawfulness of the current power supply to Action in rural Lafayette County and will negate the possibility of legal challenge to City's service.
  - b. It will allow the City to focus its service obligations on its citizens and inhabitants.
  - c. It will allow City to plan to meet the electrical needs of its citizens and inhabitants

without consideration for the potential impact of the large load requirements of this industrial customer.

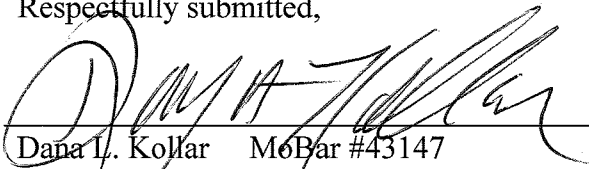
- d. It will reduce the costs and obligations of the City to its power supplier.
- e. It will reduce the costs of City's operation and maintenance of substation and other facilities committed to serving this customer and allow the retirement or sale of some facilities.
- f. It will enhance and add efficiencies to the utilization of West Central's investments in facilities serving its members in rural Lafayette County.
- g. It will give the customer the benefits of participation in a stable power supply network supported by the electric generation and transmission assets serving rural Missouri.

Thus, the proposed change of supplier is in the public interest for a reason other than a rate differential.

WHEREFORE, Joint Applicants 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 Joint Application.

Respectfully submitted,

  
Dana L. Kollar MoBar #43147  
Andereck, Evans, Milhe, Widger & Johnson, LLC  
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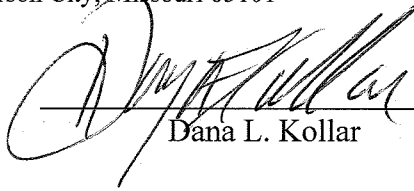
ATTORNEYS FOR JOINT APPLICANTS  
WEST CENTRAL ELECTRIC COOPERATIVE  
AND CITY OF ODESSA

**Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing Joint Application was served by electronic mail or U.S. Mail, postage prepaid, this 15<sup>th</sup> day of April, 2008 upon the following:

Office of the Public Counsel  
Governor State Office Building, 6<sup>th</sup> Floor  
Jefferson City, Missouri 65101

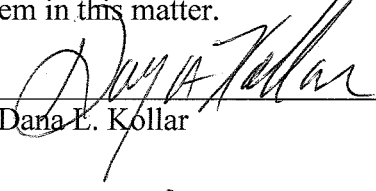
Office of the General Counsel.  
Missouri Public Service Commission  
Governor State Office Building, 8<sup>th</sup> Floor  
Jefferson City, Missouri 65101

  
Dana L. Kollar

**VERIFICATION**


STATE OF MISSOURI     )  
  )ss  
COUNTY OF Call     )

Being first duly sworn, Dana L. Kollar states as follows: that she has read the foregoing application and the facts and allegations contained therein are true and correct to the best of her knowledge, information and belief and that the law firm of Andereck, Evans, Milne, Widger & Johnson, LLC is authorized by West Central Electric Cooperative, Inc. and the City of Odessa, Missouri, to make this filing and represent them in this matter.

  
\_\_\_\_\_  
Dana L. Kollar

Subscribed and sworn to before me this 11 day of April, 2008.

ORNA MICKELIS  
Notary Public - Notary Seal  
STATE OF MISSOURI  
County of Callaway  
My Commission Expires 5/16/2011  
Commission # 07453930

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