

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 19th
day of October, 1993.

City of West Plains, Missouri,
1910 Holiday Lane,
Post Office Box 710,
West Plains, Missouri 65775,

Complainant,

v.

Sho-Me Power Electric Cooperative
(formerly Sho-Me Power Corporation),
Post Office Drawer D,
Marshfield, Missouri 65706,

Respondent.

Case No. EC-94-1

ORDER DISMISSING COMPLAINT

On July 1, 1993, the City of West Plains, Missouri (Complainant) filed a Complaint requiring Sho-Me Power Corporation (Sho-Me) to charge Complainant correct, lawful, nondiscriminatory, just, and reasonable rates applicable to the provision of transmission services by Sho-Me to Complainant. On August 2, 1993, Sho-Me filed its Answer requesting that the Commission dismiss the Complaint or, in the alternative, that the Commission stay proceedings until a final order is issued in *In the matter of Sho-Me Power Corporation's conversion from a Chapter 351 corporation to a Chapter 394 rural electric cooperative*, Case No. EO-93-259. On September 17, 1993, the Commission issued its Report And Order in Case No. EO-93-259 which, *inter alia*, authorized Sho-Me to convert to a Chapter 394, R.S.Mo. 1986, rural electric cooperative. The effective date of the order was October 1, 1993, unless Sho-Me failed to pay its unpaid annual assessments as prorated. On September 21, 1993, the Commission received the total

payments and upon the effective date of the Report And Order therein ceased to regulate Sho-Me as a Chapter 393, R.S.Mo. 1986, corporation.

The Commission determines that its Report And Order in Case No. EO-93-259 has rendered the Complaint herein moot, as its jurisdiction to regulate the transmission rates charged by Sho-Me to Complainant ended upon Sho-Me's authorized conversion to a Chapter 394 rural electric cooperative. The Commission, therefore, will dismiss the Complaint for the reasons herein stated.

IT IS THEREFORE ORDERED:

That the Complaint by the City of West Plains, Missouri, filed herein on July 1, 1993, against Sho-Me Power Corporation be hereby dismissed.

2. That this order shall become effective on October 29, 1993.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
and Crumpton, CC., Concur.
Kincheloe, C.; Absent.