

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

In the Matter of the Application of	)	<u>File No. EO-2023-0039,</u>
Shannon Barth for Change of Electric	)	<u>EO-2023-0040,</u>
Supplier from City of Butler to Osage	)	<u>EO-2023-0041,</u>
Valley Electric Cooperative,	)	<u>EO-2023-0042,</u>
	)	<u>EO-2023-0043,</u>
<i>et al.</i> ¹	)	<u>EO-2023-0044,</u>
	)	<u>EO-2023-0045,</u>
	)	<u>EO-2023-0046,</u>
	)	<u>EO-2023-0047,</u>
	)	<u>EO-2023-0048,</u>
	)	<u>EO-2023-0049,</u>
	)	<u>EO-2023-0051,</u>
	)	<u>EO-2023-0063,</u>
	)	<u>EO-2023-0064</u>

STAFF MOTION TO STAY

COMES NOW Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and respectfully states as follows:

1. On August 8, 2022, fifteen (15) individuals or couples filed a request for a change of electric supplier from the City of Butler, Missouri (“City of Butler”) to the Osage Valley Electric Cooperative Association (“Osage Valley”).² The Applicants indicated that they needed to change service providers in order for new construction on their collective properties to be permitted to receive electric services.
2. On August 8, 2022, the Commission ordered Staff to file its recommendations regarding the applications no later than October 24, 2022.

¹ For purposes of brevity, the remaining case captions are included in an attachment at the end of this pleading.
² This motion is for fourteen (14) cases captioned above. It does not address EO-2023-0050, the docket in which the Commission issued a Notice of Deficiency, stating it will not address the application without an address to which the parties can serve the Applicant.

3. On August 18, 2022, the Office of Public Counsel (“OPC”) filed its *Motion to Consolidate Cases and Add Parties*. Staff responded to the OPC on September 20, 2022 in support for consolidating the attached cases. The Commission denied the OPC’s motion.

4. On October 5, 2022, the City of Butler responded to Applicants’ change of electric service provider applications. The City of Butler requested the Commission to either dismiss or deny the Applicants’ requests to change suppliers in view of the City of Butler and Osage Valley filling a Joint Application requesting approval of their Territorial Agreement on the same day that would effectively address the Applicants’ stated concerns.

5. On October 7, 2022, Osage Valley responded to Applicants’ applications. Osage Valley requested the Commission deny the Applicants’ requests citing that Osage Valley and the City of Butler are in the process of finalizing their Territorial Agreement that would resolve the Applicants’ need for service if approved by the Commission.

6. The Territorial Agreement between the City of Butler and Osage Valley addresses the material questions raised by all 14 Applicants.

7. Staff concurs with City of Butler and Osage Valley. Staying these proceedings will not prejudice any party. Staff believes the Territorial Agreement would allow Applicants to begin receiving electric services.

WHEREFORE, for the foregoing reasons Staff request that the Commission stay further proceedings in these dockets until the conclusion of the Territorial Agreement.

Respectfully submitted,

/s/ Eric Vandergriff

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record on this 24th day of October, 2022.

/s/ Eric Vandergriff

1.	In the Matter of the Application of Janet Castrogiovanni for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0040</u>
2.	In the Matter of the Application of Kathy Castrogiovanni for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0041</u>
3.	In the Matter of the Application of David Crist for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0042</u>
4.	In the Matter of the Application of Roger Farrell for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0043</u>
5.	In the Matter of the Application of James and Cathy Loomis for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0044</u>
6.	In the Matter of the Application of Brent and Melody Mullins for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0045</u>
7.	In the Matter of the Application of Brian and Anna Shrock for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0046</u>
8.	In the Matter of the Application of Michael and Elizabeth Taranto for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0047</u>
9.	In the Matter of the Application of Todd and Antionette Allen for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0048</u>
10.	In the Matter of the Application of Wayne and Jenny Vermillion for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>EO-2023-0049</u>

11.	In the Matter of the Application of Chance) and Shanya Hedrick for Change of) Electric Supplier from City of Butler to) Osage Valley Electric Cooperative)	<u>EO-2023-0051</u>
12.	In the Matter of the Application of Shane) and Nicole McCoun for Change of) Electric Supplier from City of Butler to) Osage Valley Electric Cooperative)	<u>EO-2023-0063</u>
13.	In the Matter of the Application of Matt) and Karen Cochran for Change of Electric) Supplier from City of Butler to Osage) Valley Electric Cooperative)	<u>EO-2023-0064</u>