

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

In the Matter of the Application of                    )  
Pro Builders since 1994 LLC                        )  
for Change of Electric Supplier                    )

**File No. EO-2019-0061**

**STAFF RECOMMENDATION**

**COMES NOW** Staff of the Missouri Public Service Commission (“Staff”), by and through Staff Counsel’s Office, and files the Staff Memorandum Recommendation (“Appendix A”) in response to the November 15, 2018, Missouri Public Service Commission (“Commission”) Order Granting Motion For Extension authorizing Staff until December 14, 2018 to file said recommendation. Staff in its Memorandum Recommendation suggests that the Commission grant the authority requested by the Applicant to change electric suppliers for a reason other than a rate differential, pursuant to Section 393.106.2 RSMo. 2016 and 4 CSR 240-3.140 and CSR 240-2.060. In support thereof, Staff states as follows:

1. On September 4, 2018, Pro Builders Since 1994 LLC (“Pro Builders”) filed an Application with the Commission requesting that its electric supplier be changed from Kansas City Power & Light Company (“KCP&L”) to Platte-Clay Electric Cooperative, Inc. (“Platte-Clay”). On September 6, 2018, the Commission issued a Notice of Deficiency to Pro Builders.

2. On September 28, 2018, Pro Builders filed a corrected Application. The Commission made KCP&L and Platte-Clay parties to the proceeding and directed that each file a response to the Application for change of supplier no later than November 1, 2018. The Commission also directed that Staff should file its recommendation no later than November 1, 2018. In its September 28, 2018, corrected

Application, Mr. Ryan T. Propheter of Pro Builders related that Platte-Clay had provided an estimate of \$5,000.00 for the construction cost of three-phase service to Pro Builders' location at 17845 Mo 45 Hwy, Weston, MO 64098 and KCP&L had provided an estimate of \$22,900.00 for the construction cost of three-phase service to Pro Builders' location at 17845 Mo 45 Hwy, Weston, MO 64098. Mr. Propheter added that KCP&L had indicated that its start-up and construction time was 16 weeks whereas Platte-Clay had indicated that its start-up and construction time was 4 weeks.

3. On October 2, 2018, the Commission issued an Order Directing Notice, Adding Parties, And Directing Responses To Application. In said Order, the Commission directed Staff to file its recommendation no later than November 1, 2018, the same date for which it directed Kansas City Power & Light Company ("KCP&L") and Platte-Clay Electric Cooperative, Inc. ("Platte-Clay") to file responses no later than.

4. In filing on November 1, 2018, requesting additional time to file its recommendation, Staff related that on October 9, 2018, the Commission received the Response Of Platte-Clay Electric Cooperative, Inc. To Application Of Pro Builders Since 1994, LLC. Platte-Clay stated that after meeting with Pro Builders on or about October 5, 2018, a revised cost estimate of \$9,055.00 for providing service was submitted to Pro Builders upon being fully informed of the desired size of service requested. Platte-Clay affirmed that it anticipated construction of such three-phase service would take approximately four weeks; it had an existing three-phase power line routed across Pro Builders' property and along 45 Highway that was capable of providing the three-phase service desired by Pro Builders; and if Pro Builders'

Application was approved, Platte-Clay had sufficient ability to become Pro Builders' electric supplier.

5. The Staff also noted in its November 1, 2018, filing with the Commission that Pro Builders in its Application identified KCP&L as its current provider of single-phase service and its potential provider of three-phase service other than Platte-Clay. Based upon Pro Builders' location, Staff stated it believed that Pro Builders was actually a customer of KCP&L Greater Missouri Operations Company ("GMO").

6. On November 1, 2018, GMO filed in the instant proceeding its Response to Pro Builders' September 28, 2018 Application For Change In Electric Service Provider. GMO stated that it currently provided single-phase service to Pro Builders and was willing to provide three-phase service to Pro Builders pursuant to the terms of its tariffs at a cost of approximately \$23,000, which was the estimate of the cost required to build three-phase service facilities to Pro Builders' location. Finally, GMO stated:

Should the Commission determine that Applicant has met its burden of proof for a change of supplier and that Platte-Clay Cooperative is authorized to provide service to the Applicant in the city limits of Weston, Missouri, the Company will remove its existing facilities used to provide service to the Applicant.

GMO commented that Pro Builders' location at 17845 Mo 45 Hwy was in the city limits of Weston. Section 394.020(3) defines "rural area" as:

. . . any area of the United States not included within the boundaries of any city, town or village having a population in excess of fifteen hundred inhabitants, and such term shall be deemed to include both the farm and nonfarm population thereof.

The population of Weston is in excess of 1500. Therefore, it is not a rural area. Section 393.106.2 RSMo. 2016 states respecting change of electric service suppliers from investor owned to rural electric cooperative:

Once an electrical corporation or joint municipal utility commission, or its predecessor in interest, lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 and section 394.080, or pursuant to a territorial agreement approved under section 394.312. The 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. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction. Except as provided in this section, nothing contained herein shall affect the rights, privileges or duties of existing corporations pursuant to this chapter. Nothing in this section shall be construed to make lawful any provision of service which was unlawful prior to July 11, 1991. Nothing in this section shall be construed to make unlawful the continued lawful provision of service to any structure which may have had a different supplier in the past, if such a change in supplier was lawful at the time it occurred. However, those customers who had cancelled service with their previous supplier or had requested cancellation by May 1, 1991, shall be eligible to change suppliers as per previous procedures. No customer shall be allowed to change electric suppliers by disconnecting service between May 1, 1991, and July 11, 1991. [Emphasis supplied.]

7. On November 1, 2018, Staff filed its Staff Response To Commission Order in which Staff requested additional time to November 15, 2018, to file a Staff recommendation. On November 5, 2018, the Commission issued an Order Extending Time For Filing Of Staff Recommendation authorizing Staff to file a recommendation regarding Pro Builders' Application no later than November 15, 2018. On November 14, 2018, Staff filed Staff Further Request For Time to December 14, 2018, to file its recommendation because Staff determined it needed to submit

discovery to the Parties which by then had been submitted. On November 15, 2018, the Commission issued an Order Granting Motion For Extension for Staff to file its recommendation no later than December 14, 2018.

8. The attached copy of the Staff Memorandum Recommendation suggests that the Commission grant the requested change of electric supplier for a reason other than a rate differential pursuant to Section 393.106.2 RSMo. 2016 and 4 CSR 240-3.140 and 4 CSR 240-2.060. The Staff engineer who performed the Staff investigation of the Pro Builders' Application for Change of Electric Supplier notes at pages 5 and 8, respectively, the significant difference in cost and time that Platte-Clay and KCP&L project to extend three-phase service to Pro Builders' location at 17845 Mo 45 Hwy, Weston, MO 64098. The Staff Memorandum Recommendation relates at page 9 that if the Change of Electric Supplier Application is approved, Pro Builders anticipates hiring four (4) employees by the end of its first-year of operation, but if the Application is not approved, Pro Builders might not continue further with some or even any of its proposed plans.

9. The Staff recommendation is that the Pro Builders' Application should be granted as being in the public interest for a reason other than a rate differential, pursuant to Section 393.106.2 RSMo. 2016 and 4 CSR 240-3.140 and CSR 240-2.060. The cost element of the project respecting the request for a change of electric suppliers does not involve an electric usage rate to be paid by the Applicant, but permits the most efficient and effective operation of the machinery sought to be utilized by the Applicant. There is also an economic development element to the project. Finally, should the

Commission approve the Application, Staff requests that the Commission note in its Order that no ratemaking determinations are being made by the Commission.

**WHEREFORE** Staff of the Commission files its Memorandum Staff Recommendation in response to the Commission's November 15, 2018, Order Granting Motion For Extension.

Respectfully submitted

**/s/ Steven Dottheim**

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record in File No. EO-2019-0061 this 14th day of December, 2018.

**/s/ Steven Dottheim**

## **MEMORANDUM**

TO: Missouri Public Service Commission Official Case File  
File No. EO-2019-0061 – In the Matter of the Application of Pro Builders  
Since 1994, LLC for a Change of Electric Supplier

FROM: Alan J. Bax, Engineering Analysis Department

<u>/s/ Dan Beck</u>	<u>12/14/18</u>	<u>/s/ Steve Dottheim</u>	<u>12/14/18</u>
Engineering Analysis / Date		Staff Counsel Department / Date	

SUBJECT: Staff Memorandum Recommending Approval of Application

DATE: December 14, 2018

## **STAFF RECOMMENDATION**

The Staff of the Missouri Public Service Commission (“Staff”) recommends that the Missouri Public Service Commission (“Commission”) approve the amended Application (“Application”) of Pro Builders Since 1994, LLC (“Pro Builders”) requesting a change in electric service suppliers from KCP&L-Greater Missouri Operations Company (“GMO”)<sup>1</sup> to Platte-Clay Electric Cooperative, Inc. (“Platte-Clay”) for desired three-phase service to structures located on a tract of land at 17845 State Highway 45, Weston, Missouri 64098. This request for a change of electric service providers from GMO to Platte-Clay is, in total, in the public interest for reasons other than a rate differential, pursuant to Section 393.106.2 RSMo. (2016). Also see related Sections 394.315.2 and 394.080.5 RSMo. (2016). The Application adheres to the filing requirements contained in 4 CSR 240-2.060 and 4 CSR 240-3.140. Staff recommends that the Commission include a statement in its Order that no rate-making treatment is being requested or authorized in approving this transaction and that any affect this transaction may have on rates will be considered within the context of the next general rate case proceeding.

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<sup>1</sup> Although the Application identifies Kansas City Power & Light Company (“KCPL”) as being the current electric service provider to Pro Builders, it is in fact GMO.

## **OVERVIEW**

On September 4, 2018, Pro Builders filed an application requesting the Commission approve a change in electric service providers that would allow Platte-Clay to provide desired three-phase electric service to structures located at 17845 State Highway 45, Weston, Missouri 64098. Pro Builders cites that the cost estimate provided by a representative of GMO in order to supply three-phase service to structures on this property was vastly different from what was offered by Platte-Clay. Pro Builders indicates that Platte-Clay could provide a desired three-phase service extension for substantially less (\$5,000 compared to approximately \$23,000) and install the service extension in a much quicker timeframe (four weeks vs. sixteen weeks).

The Commission issued a *Notice of Deficiency* on September 6, 2018, recognizing that Pro Builder's application was not signed by someone identified as a licensed attorney and giving Pro Builders until October 5, 2018 to correct the deficiency. On September 28, 2018, Pro Builders filed its amended Application addressing this deficiency.

On October 2, 2018, the Commission issued an *Order Directing Notice, Adding Parties and Directing Responses to Application* in which it made GMO and Platte-Clay parties to the case and directed GMO and Platte-Clay to respond to the Application by November 1, 2018. This Order also directed Staff to file a recommendation by November 1, 2018.

On November 1, 2018, Staff filed a request for a two week extension in providing its recommendation, which allowed the receipt of GMO's Response to the Application and evaluation of said Response by Staff. This request was approved by the Commission in an *Order Approving Staff's Request for an Extension of Time* issued November 5, 2018. Staff subsequently filed for additional time in which to file its recommendation on November 14, 2018, in order to receive responses to issued data requests. This request for a further extension



until December 14, 2018, was approved by the Commission in an *Order Granting Motion for Extension* issued November 15, 2018.

Platte-Clay is a rural electric cooperative organized under Chapter 394 RSMo. (2016) to provide electric service to its members in all or parts of seven Missouri counties, including Platte County. Although the Commission has limited jurisdiction over rural electric cooperatives, Platte-Clay is subject to the jurisdiction of the Commission in this case under Section 393.106.2 RSMo. (2016). Also see related Sections 394.315.2 and 394.080.5 RSMo. (2016).<sup>2</sup>

As a rural electric cooperative, Platte-Clay is not required to file annual reports or pay assessment fees. Further, Platte-Clay does not have pending or final unsatisfied judgments against it from any state or federal court involving customer service or rates within three years of the date of filing this Application.

GMO is an electrical corporation subject to the jurisdiction of the Commission as specified, in part, by Chapters 386 and 393 RSMo. (2016). GMO is authorized to provide electricity in and around the area that is the subject of this Application. GMO is subject to the jurisdiction of the Commission in this case pursuant to Section 393.106.2 RSMo. (2016).

GMO is current on all assessment fees and annual report filings. Staff is not aware of any other matter before the Commission that affects or is affected by this filing; nor is Staff aware of

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<sup>2</sup> Section 393.106.2 states, in relevant part, that “Once an electrical corporation ... lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 and section 394.080, or pursuant to a territorial agreement approved under section 394.312. The public service commission, upon application made by an affected party, may order a change of suppliers on the basis that is in the public interest for a reason other than a rate differential. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction....”

any pending or final unsatisfied decision against GMO from any state or federal court involving customer service or rates within the last three years that would affect or is affected by this filing.

### **DISCUSSION**

In its Application, Pro Builders says it has purchased the property located at 17845 State Highway 45, Weston, Missouri 64098 for the intended purpose of opening a custom cabinet shop. Pro Builders desires to have three-phase electric service installed at the premises in order to most effectively and efficiently operate anticipated necessary machinery. In contacting GMO in regard to obtaining three-phase service, Pro Builders asserts that it received an estimate from a representative of GMO of approximately \$23,000 to install such service. Pro Builders contacted Platte-Clay and asserts that it received an estimate of \$5,000 to install three-phase service. Furthermore, Pro Builders indicates that Platte-Clay could construct the desired service in four weeks, versus a reported sixteen week time frame for construction proffered by a representative of GMO. Pro Builders also cites that Platte-Clay presently serves businesses on State Highway 45 within the City of Weston. This request of Pro Builders is based at least in part on the difference in the cost estimates provided in order to install the desired three-phase service as well as the lead time said to be necessary before construction can start to install such three-phase service.

Pro Builders indicates that if its only option for obtaining three-phase service is from GMO, it will use three-phase converters at a minimal cost of \$5000, which will mean it operates at a reduced capacity in regard to the size of equipment that can be purchased and at reduced efficiency as well. As a consequence, the full potential of economic development associated with the project could be jeopardized. Pro Builders indicated that its request was not due to any

problems concerning the quality or reliability of the single-phase service currently being provided by GMO.

Platte-Clay is currently serving three properties within the city limits of Weston, MO along State Highway 45, one of which has two meters. Platte-Clay began providing three-phase service to one property beginning in December 1963, single-phase service to a second property beginning in November 1967, and both single-phase and three-phase service to a third property beginning in November 1967 and May 1982, respectively. Therefore, all three properties were being served prior to 1990, the year in which the population of the Weston, MO increased above 1,500 according to census data. Rural electric cooperatives, such as Platte-Clay, are generally restricted in their provision of electric service to rural areas only, a rural area being defined in Section 394.020 RSMo (2016), as an area having a population of less than 1,500. Moreover, once an electrical corporation has established electric service to a structure, it retains the right to maintain that service. As a consequence, but for these aforementioned three properties, GMO is the electric service provider to all other properties located in this immediate area within the city limits of Weston, MO.

In its Data Request Response filed October 9, 2018, Platte-Clay acknowledged providing an initial estimate of \$5,000 to install three-phase service to Pro Builders. However, in meeting with Pro Builders on or about October 5, 2019, Platte-Clay reports revising its cost estimate to \$9,055 upon gaining a more thorough understanding of Pro Builder's needs. Platte-Clay estimated a period of four weeks to complete the desired construction (approximately three weeks lead time and approximately one week of construction to enable connection of service) as it has a three-phase line routed along State Highway 45 fronting Pro Builders property that has ample capacity to provide requested service.

In its Response filed November 1, 2019, GMO indicated that it currently provided single-phase service to Pro Builders and it was able to provide three-phase service at an estimated cost of \$23,000. Further, GMO stated that it would remove its existing service to Pro Builders should the Commission approve the Application.

In recent cases requesting a change of electric service providers, (File No. EO-2018-0118 for example), the Commission, in its Orders, listed ten factors that it considers in analyzing the meaning of “public interest” for a change of supplier. These ten factors, along with Staff’s accompanying analysis, are:

- (1) Whether the customer’s needs cannot adequately be met by the present supplier with respect to either the amount or quality of power;

As mentioned in the Application, Pro Builders does not identify experiencing any reliability or quality issues with the current single-phase service being supplied by GMO, nor has it suffered any equipment damage. Although expressing confidence in GMO’s ability to provide the desired three-phase service, the dilemma articulated by Pro Builders concerned the amount of GMO’s estimated cost to construct the three-phase service extension as compared to Platte-Clay as well as the amount of time said to be necessary, according to a representative of GMO, to provide such service as compared to Platte-Clay (sixteen weeks for GMO versus four weeks for Platte-Clay).

- (2) Whether there are health or safety issues involving the amount or quality of power:

In its Application, Pro Builders notes that there have been no experience of either health or safety issues associated with GMO’s current single-phase service. Moreover, Pro Builders expressed a belief that GMO would be able to provide the desired three-phase service. However,

Pro Builders laments that the estimated cost differential will result in Pro Builders opting to retain GMO's current single-phase service and utilizing a three-phase converter to operate the machinery anticipated to be employed in crafting custom cabinetry, which will limit the capabilities and the efficiency of such an operation as compared to installing a three-phase service. In addition, having to use a three-phase converter versus the construction of three-phase service will prevent Pro Builders from ultimately employing four people according to its Response to Staff Data Request No. 2.

- (3) What alternatives a customer has considered, including alternatives with the present supplier;

Although acknowledging experiencing no problems with GMO's current single-phase service and also its belief that GMO could provide the desired three-phase service, Pro Builders maintains its preference that Platte-Clay be allowed to become its electric service provider regarding the installation of three-phase service. Pro Builders has indicated that if its Application is not approved, and, if it further decides to go through with its proposed plans to use the property as a custom cabinetry shop, it would opt to retain GMO's current single-phase service and utilize a three-phase converter despite the shortcomings.

- (4) Whether the customer's equipment has been damaged or destroyed as a result of a problem with the electric supply:

In its Application, Pro Builders mentions having experienced no damage to equipment due to GMO's current provision of single-phase electric service. In fact, Pro Builders has only recently purchased the property in August of 2018, as indicated in Pro Builder's Response to Staff Data Request No. 3. Pro Builders is awaiting a decision from the Commission respecting

its Application before it makes any ultimate decision on how it will proceed or if it will proceed at all.

(5) The effect the loss of the customer would have on the present supplier;

In its Response to the Application, GMO does not make mention of any possible effects to itself or its customer base should the change of electric supplier request be approved. However, in providing a cost estimate of approximately \$23,000 in its Response to Staff Data Request No. 13 in constructing three-phase service, GMO projects additional annual revenue of \$1,504.44.

(6) Whether the change in supplier would result in a duplication of facilities, especially in comparison with alternatives available from the present supplier, a comparison of which could include:

- (i) The distance involved and cost of any new extension, including the burden on others – for example, the need to procure private property easements, and
- (ii) The burden on the customer relating to the cost or time involved, not including the cost of the electricity itself;

In its Response to Staff Data Request No. 6, Platte-Clay indicates a period of four weeks is needed for lead time and to construct the desired three-phase service. In comparison, GMO indicates a period of fourteen weeks in its Response to Staff Data Request No. 12. Pro Builders' property fronts State Highway 45, with Platte-Clay's three-phase line routed along the east side of Highway 45 in front of Pro Builders. Platte-Clay would tap this line and install a pad-mount transformer in its provision of three-phase service. According to its Response to Staff Data Request No. 11, GMO currently provides three-phase service to a lift station located

just to the northeast of the adjacent property to Pro Builders. GMO would also install a pad-mount transformer in its provision of three-phase service to Pro Builders, indicating a distance of approximately 163 feet from the lift station to the proposed location of this pad-mount transformer.

- (7) The overall burden on the customer caused by the inadequate service including any economic burden not related to the cost of the electricity itself and any burden not considered with respect to factor (6)(II) above;

Pro Builders asserts that Platte-Clay can provide the desired three-phase service for not only less cost for a three-phase extension and connection but also in a much quicker time frame. Pro Builders mentions that the difference in the cost estimates of GMO and Platte-Clay may prohibit the intended development of the enterprise. As a consequence, according to its Response to Staff Data Request No. 2, while Pro Builders anticipates hiring four employees by the end of its first year of operation if Platte-Clay provides three-phase service, Pro Builders indicates no one may be hired if it's necessary to operate the business with GMO's current single-phase service and using three-phase converters. Pro Builders indicates that the difference in the cost estimates between Platte-Clay and GMO is such that it may prevent it from proceeding with any of his proposed plans if the Application is not approved.

- (8) What efforts have been made by the present supplier to solve or mitigate problems;

Staff is not aware of any discussions between GMO and Pro Builders regarding possible alternatives or perhaps mitigating the estimated cost of GMO providing three-phase service to the property.

- (9) The impact the Commission's decision may have on economic development, on an individual or cumulative basis;

Pro Builders has stated that the amount of GMO's estimate to provide three-phase service as well as the additional time necessary to construct the desired three-phase service inhibits Pro Builders' ability to operate the proposed business as intended, or, may result in Pro Builders deciding to not proceed with the intended plans at all. Pro Builders has indicated its intention to hire four people by the end of the first year of operation if its Application is approved. This is a factor that the Commission considered in its *Report and Order* issued in File No. EO-2011-0052.

- (10) The effect the granting of authority for a change of suppliers might have on any territorial agreements between the two suppliers in question, or on the negotiation of territorial agreements between the suppliers.

Staff is not aware of any discussions regarding possible territorial agreements taking place between GMO and Platte-Clay, nor of any effect that the proposed development of this property owned by Pro Builders would have on such negotiations.

### **CONCLUSION**

In Staff's opinion, the Commission should determine that the Application, requesting a change in electric service providers from GMO to Platte-Clay in regard to Pro Builders' property, located at 17845 State Highway 45, Weston, Missouri 64098, is in the public interest for reasons other than a rate differential, pursuant to Section 393.106.2 RSMo. (2016), in particular. (Also see related Sections 394.315.2 and 394.080.5 RSMo. (2016)). The Application meets the filing requirements contained in 4 CSR 240-2.060 and 4 CSR 240-3.140. Thus, Staff recommends that the Commission order that the electric service provider to Pro Builders be changed from GMO to Platte-Clay. Pro Builders is located within the service territory of GMO,



approximately 525 feet within the boundary of the city limits of Weston, MO on State Highway 45, a city whose population exceeds 1500 inhabitants, a fact that would otherwise limit Platte-Clay from providing electric service to new structures defined to be located in a non-rural area. Pro Builders is currently receiving single-phase service from GMO, but desires to receive three-phase service in an expeditious manner. Despite reporting no issues with the current single-phase service being provided by GMO and also expressing confidence in GMO's ability to provide the desired three-phase service, Pro Builders requests that it receive three-phase service that is provided by Platte-Clay. Platte-Clay's most recent cost estimate to extend and connect three-phase service is less than 40% of the estimate proffered by GMO. Moreover, Platte-Clay can install the desired service in four weeks as compared to fourteen weeks indicated by GMO. In addition, Pro Builders has indicated its plan to hire four employees in the first year of operation with Platte-Clay providing three-phase service, a result that is negated if Pro Builder's Application is not approved, a factor that was considered by the Commission in its *Report and Order* approving a request for a change in electric service providers in File No. EO-2011-0052. Therefore, Staff concludes that the requested change of electric service providers to be considered, in total, as being in the public interest. In addition, Staff further recommends the Commission include in its Order that no rate-making treatment is being requested or authorized in approving this transaction and that any affect this transaction may have on rates will be considered within the context of the next general rate case proceeding of GMO.

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

In the Matter of the Application of Pro Builders       )  
Since 1994 LLC for a Change of Electric Supplier       )

File No. EO-2019-0061

**AFFIDAVIT OF ALAN J. BAX**

State of Missouri       )  
                                      ) ss.  
County of Cole       )

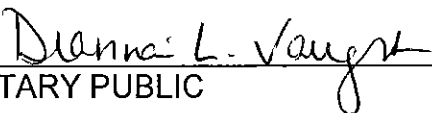
**COMES NOW** Alan J. Bax and on his oath declares that he is of sound mind and lawful age; that he contributed to the attached *Staff Memorandum*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.

  
\_\_\_\_\_  
Alan J. Bax

**JURAT**

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 14th day of December, 2018

  
\_\_\_\_\_  
NOTARY PUBLIC

