

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 22nd day
of September, 2022.

In the Matter of the Application of Shannon Barth for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>File No. EO-2023-0039</u>
In the Matter of the Application of Janet Castrogiovanni for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>File No. EO-2023-0040</u>
In the Matter of the Application of Kathy Castrogiovanni for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>File No. EO-2023-0041</u>
In the Matter of the Application of David Crist for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>File No. EO-2023-0042</u>
In the Matter of the Application of Roger Farrell for Change of Electric Supplier from City of Butler to Osage Valley Electric Cooperative))))	<u>File No. EO-2023-0043</u>
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>File No. EO-2023-0044</u>
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>File No. EO-2023-0045</u>
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>File No. EO-2023-0046</u>

In the Matter of the Application of Michael)
and Elizabeth Taranto for Change of Electric) **File No. EO-2023-0047**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

In the Matter of the Application of Todd and)
Antionette Allen for Change of Electric) **File No. EO-2023-0048**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

In the Matter of the Application of Wayne and)
Jenny Vermillion for Change of Electric) **File No. EO-2023-0049**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

In the Matter of the Application of Scott)
Nameth for Change of Electric Supplier from) **File No. EO-2023-0050**
City of Butler to Osage Valley Electric)
Cooperative)

In the Matter of the Application of Chance)
and Shanya Hedrick for Change of Electric) **File No. EO-2023-0051**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

In the Matter of the Application of Shane and)
Nicole McCoun for Change of Electric) **File No. EO-2023-0063**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

In the Matter of the Application of Matt and)
Karen Cochran for Change of Electric) **File No. EO-2023-0064**
Supplier from City of Butler to Osage Valley)
Electric Cooperative)

**ORDER DENYING MOTION TO CONSOLIDATE CASES
AND ADD PARTIES**

Issue Date: September 22, 2022

Effective Date: September 22, 2022

On August 18, 2022, The Office of the Public Counsel (OPC) filed a motion to consolidate cases and add parties in the 15 cases captioned above. The certificate of service attached to OPC's motion indicates that it was mailed, hand-delivered, transmitted

by facsimile or electronically mailed to all counsel of record. None of the applicants are represented by counsel, and none of the applicants are named on the certificate of service, so the certificate fails to indicate service on any applicant party.¹

In its motion, OPC fails to allege that the cases share common questions of law or state facts showing that consolidation is appropriate or necessary.² Without such allegations, OPC's motion is insufficient.

On September 20, the Staff of the Commission filed a response to OPC's motion to consolidate, stating that the named cases involve related questions of law and fact, and explains that facts alleged in those cases show that consolidation would be administratively expedient and would simplify these proceedings. Staff's certificate of service also fails to indicate service on any applicant party.

All parties in the named cases are self-represented, and only qualified to represent themselves. No attorney has entered an appearance to represent the parties jointly in a consolidated case. It is not feasible to consolidate cases without an attorney to represent the applicants collectively in the consolidated case. It may be feasible to consolidate these cases for purposes of conducting a single hearing, but that question can be addressed later.

Along with its motion to consolidate cases, OPC included a request to add Stacy Castrogiovanni, William Hobbs, and Carrie Hobbs as applicant parties, since all signed a petition asking the City of Butler to release their electric service agreement to Osage Valley Electric Cooperative. None of those three persons has submitted an application to the Commission or affirmatively indicated in writing that he or she wishes to apply to the

¹ 20 CSR 4240-2.010(2).

² 20 CSR 4240-2.110(3).

Commission for change of electric supplier, and OPC has not contacted these parties to determine their wishes. As such, OPC has failed to state sufficient criteria to add these persons to the case.

File No. EO-2023-0050, filed by Scott Nameth does not include an address for service. A notice of deficiency has been issued in that matter and the Commission will not act on that application, or consolidate it with other applications, until Mr. Nameth files confirmation of his address with the Commission.

The Commission will deny OPC's motion to consolidate cases and add parties.

THE COMMISSION ORDERS THAT:

1. OPC's motion to consolidate cases and add parties is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Keeling, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 22nd day of September, 2022.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 22, 2022

File/Case No. EO-2023-0039, EO-2023-0040, EO-2023-0041, EO-2023-0042, EO-2023-0043, EO-2023-0044, EO-2023-0045, EO-2023-0046, EO-2023-0047, EO-2023-0048, EO-2023-0049, EO-2023-0050, EO-2023-0051, EO-2023-0063, and EO-2023-0064

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.