

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

In the Matter of The Empire District Electric)
Company d/b/a Liberty and Southwest Electric)
Cooperative for Approval of Amendment to First) **File No. EO-2025-0188**
Territorial Agreement Designating Boundaries of)
Exclusive Service Areas for Each Near the City)
of Bolivar, Missouri)

**ORDER DIRECTING NOTICE TO ELECTRIC COOPERATIVE
AND NOTICE OF DEFICIENCY**

Issue Date: December 23, 2024

Effective Date: December 23, 2024

On December 19, 2024, The Empire District Electric Company d/b/a Liberty and Southwest Electric Cooperative (Southwest) filed an application seeking Commission approval of an amendment to an existing territorial agreement. The Commission issued notice, directed a Staff recommendation, and set an intervention deadline.

Liberty and Southwest’s *Joint Request for Waiver, Motion for Expedited Treatment, and Application for Approval of Addendum No. 1 to the First Territorial Agreement* was signed by Jermaine Grubbs, an attorney representing Liberty, and by James Ashworth, CEO and General Manager of Southwest. However, Liberty and Southwest’s *Joint Request for Waiver, Motion for Expedited Treatment, and Application for Approval of Addendum No. 1 to the First Territorial Agreement* is a motion and pleading in addition to being an application, as such it needs to be signed by attorneys for both parties and not just an attorney for one party and Southwest’s CEO and General Manager.¹

¹ James Ashworth verified the application via affidavit and informed the Commission that Shawn Battagler would be the attorney representing Southwest.

If Jermaine Grubbs wishes to represent both parties she may, but she needs to correct the application filing to denote that she is the only attorney of record for Liberty and Southwest, otherwise Southwest's attorney should sign the application as is required by Commission Rule 20 CSR 4240-2.080.

Southwest has constructive notice of the application because its CEO signed the application and territorial agreement addendum. So that Southwest has actual notice of the filing, the Commission is providing notice of this application for approval of an addendum to an existing territorial agreement to Southwest.

Liberty or Southwest must remedy the deficiency in its application before the Commission will address the application and motion for expedited treatment.

THE COMMISSION ORDERS THAT:

1. Liberty or Southwest must remedy the deficiency in its *Joint Request for Waiver, Motion for Expedited Treatment, and Application for Approval of Addendum No. 1 to the First Territorial Agreement* before the Commission will address the application and motion for expedited treatment.
2. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 23rd day of December, 2024.

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 23rd day of December 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 23, 2024

File/Case No. EO-2025-0188

MO PSC Staff

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Liberty (Empire)

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**Southwest Electric
Cooperative**

Legal Department
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Bolivar, MO 65613

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

Sincerely,



**Nancy Dippell
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.