BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Larry W. Duggar for Change of Electric Supplier from Empire District Electric Company d/b/a Liberty to New-Mac Electric Cooperative, Inc.	)))))	**File No. EO-2021-0389**

ORDER DIRECTING NOTICE, ADDING PARTIES, AND DIRECTING RESPONSES TO APPLICATION

Issue Date: May 10, 2021 Effective Date: May 10, 2021

On May 6, 2021, Larry Duggar filed an application with the Missouri Public Service Commission requesting a change of electric supplier from The Empire District Electric Company d/b/a Liberty to New-Mac Electric Cooperative, Inc. (New-Mac).

The Commission will direct its Data Center to send notice of the application to Liberty and New-Mac. Because they are necessary parties, Liberty and New-Mac will be joined as parties to this proceeding and will be directed to file responses to the application. The Commission will also direct the Staff of the Commission to file a recommendation.

THE COMMISSION ORDERS THAT:

1. The Data Center of the Missouri Public Service Commission shall send this order, with a copy of the application, to Liberty and New-Mac.

2. Liberty and New-Mac are made parties to this proceeding and shall each file a response to the application no later than June 9, 2021.

3. The Staff of the Commission shall file its recommendation regarding the application no later than June 25, 2021.

4. This order is effective when issued.

BY THE COMMISSION

Morris L. Woodruff
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 10th day of May, 2021.

FILED
MAY 6 2021
Missouri Public Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the application of)
)
Larry W Duggar) Case No. _____
(Name of Applicant))
)
for change of electric supplier.)

APPLICATION FOR CHANGE OF ELECTRIC SERVICE PROVIDER

1. Applicant's address is: 807 Big Sugar creek Road Pineville MO.

2. The name of Applicant's current electric service provider is: Liberty

3. Applicant requests the Missouri Public Service Commission to order a change of electric supplier to the address indicated above.

4. Applicant requested the Commission to order a change of electric supplier from Liberty (Current) to New Mac (Requested)

5. Applicant requests the Missouri Public Service Commission to order a change of electric provider for the following reasons.* I have been using Liberty (formerly Empire Dist) for about 25 years their billing, written and oral, is confusing. With that my bill rises constantly. Even without Household Changes. The Worst was November 2020 to current. My December Bill jumped from about 350 to 600+. January was almost $900.00 Then When we had record lows in February it actually went Down To $840. How can February be lower Than January. For almost 25 years they have been inconsistent, but worse in the last 10. New mac has a pole close to my property. I ask that you Please let me switch to Them. Becaus of Liberty's practice of Billing →

I have had to get help From economic security multiple Times. The House is in good shape, Well insulated, Heat pump and system checked OUT right before winter.

6. Applicant has taken the following steps in an attempt to work out electric service problems with the electric service provider: I have made countless calls, trip's to talk to Liberty. And my Wife has as well. They talk down to people, and act like I'm stupid. I have called and made an informal complaint and plan To make a formal complaint as soon as I study the rules, regulations to understand the best way to proceed. Thank you

WHEREFORE, Applicant requests the Missouri Public Service Commission to issue an Order which changes the current electric service provider.

April 20 2021
(Date)

James W Dyer
(Signature of Applicant)

417 825-8226
(Phone Number)

*If reason for change is poor service, outages, low voltage, etc., applicant should submit a record of service problems covering at least 90 days, including dates and times of problems to the extent possible. Applicant should also attempt to determine reasons for any service problems. For instance, if electric service was out or you are experiencing blinking lights, you should contact the supplier of electric service to determine the problem, and include this information with the application. (If the reasons from the supplier was a storm, car hitting pole, trees in line, conductor fell down, or whatever the supplier states for the problem, this should be noted.)

STATE OF MISSOURI)
) ss.
COUNTY OF McDonald)

VERIFICATION

Larry Duggan, on oath, states that he/she has read the foregoing application and is familiar with its contents and the matters set forth therein are true to the best of his/her knowledge, information and belief.

Larry W Duggan
(Signature of Applicant)

SWORN TO BEFORE ME, the undersigned Notary Public on this the 27 day of April 2021.

Chayleigh McCool
Notary Public

My Commission Expires: Nov 8, 2022

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

CHAYLEIGH GRACE MCCOOL
My Commission Expires
November 8, 2022
McDonald County
Commission #18555067

INFORMATION ON PUBLIC SERVICE COMMISSION PROCEDURE FOR *PRO SE* CHANGE OF SUPPLIER APPLICANTS

Pro se applicants are applicants who choose to represent themselves before the Public Service Commission rather than being represented by an attorney. This attachment is intended to give *pro se* applicants information on Commission procedures for applicants for a change of electric supplier. However, it is still the responsibility of *pro se* applicants to educate themselves about Commission procedures. "Parties who represent themselves must satisfy all relevant rules of procedure; they are entitled to no indulgence they would not have received if represented by counsel." *Sutton v. Kestler*, 930 S.W.2d 516, 517 (Mo. App. 1996). Enclosed please find a copy of the Commission's rules on Practice and Procedures. You will be expected to follow these rules.

Generally, there will be five parties in a change of supplier case: (1) the applicant; (2) the applicant's current electric supplier; (3) the electric supplier to whom the applicant wishes to change; (4) the Staff of the Commission; and (5) a representative of the Office of the Public Counsel. The Staff of the Commission is a separate party and will make an independent recommendation to the Commissioners. However, the Commissioners will make the ultimate decision. The Office of the Public Counsel represents the general public before the Commission. Neither the Staff of the Commission nor the Office of the Public Counsel represents the applicant, and neither will act as applicant's attorney nor give substantive advice to the applicant. The Office of the Public Counsel and Staff will try to answer any questions an applicant may have about Commission procedure. The applicant should also be aware that if any pleading or

typical change of supplier case, but if briefs are requested the procedure will be explained at the time of the hearing.

In applications for change of electric suppliers, the Commission considers a number of factors in making its decision, including, but not limited to the following:

1. Whether the customer's needs can be adequately met by the present supplier with respect to either the amount or quality of the power;
2. Whether there are health or safety issues involving the amount or quality of power;
3. What alternatives the customer has considered, including alternatives with the present supplier;
4. Whether the customer's equipment has been damaged or destroyed as a result of a problem with the electric supply;
5. The effect the loss of the customer would have on the present supplier;
6. Whether a change in supplier would result in a duplication of service or facilities, especially in comparison with alternatives available from the present supplier, a comparison which could include: (a) the distance involved and cost of any new extension, including the burden on others -- for example, the need to procure private property easements; and (b) the burden on the customer relating to the cost or time involved, not including the cost of the electricity itself;
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(b) above;

correspondence is to be filed with the Commission, a copy of that document must be sent to all the other parties.

Other parties may request information from the applicant through the Commission discovery procedure, which is similar to what is allowed in court cases. The purpose of discovery is to find out generally what evidence a party intends to present at a hearing, or what a party's witnesses may be expected to testify at a hearing. All parties, including the *pro se* applicant, may engage in discovery, in accordance with the Commission's rules.

If there are contested matters, the Commission will hold a hearing.

At the hearing, the *pro se* applicant can expect the following procedure: Each party will be allowed to make a brief opening statement. Then the applicant will present evidence. If applicants expect to take the stand to testify on their own behalf, they will have to testify in narrative form, since there will be no attorney to ask them questions. If the applicant intends to put a witness on the stand, applicant will have to ask nonleading, direct examination questions to elicit the witness's testimony.

All witnesses will be asked to give an oath or affirmation, and any witness may be questioned by the Commissioners or the Administrative Law Judge. All witnesses are subject to cross-examination by the other parties. All witnesses should have personal knowledge of the subject of their testimony. Applicants should bring to the hearing at least thirteen copies of any exhibit or document they intend to offer into evidence.

After the applicant has presented evidence, the other parties will be allowed to present their evidence. Then the parties will give their closing statements. Sometimes the Commission wishes to have briefs instead of closing statement. This is unlikely in the

8. What efforts have been made by the present supplier to solve or mitigate the problem;
9. The impact the Commission's decision may have on economic development,on an individual or cumulative basis; and
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.

The applicant should try to address these factors when presenting testimony at the hearing.

02/391/261

Larry Duggan
607 Big Sugar Creek Road
Rineville mo

SPRINGFIELD MO 658
3 MAY 2021 PM 3 L



RECEIVED
MAY 06 2021
MO PUBLIC SERVICE COMMISSION
MAIL ROOM

ATTN. MORRIS Woodruff
Post Offic Box 360
Jefferson city Mo. 65102

65102-036060

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 10th day of May, 2021.

Morris L. Woodruff
Secretary

Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU="", E=kim.happy@psc.mo.gov, C=US
Reason: I attest to the accuracy and integrity of this document
Location: Cole County, Missouri
Date: 2021.05.10 14:55:14-05'00'
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MISSOURI PUBLIC SERVICE COMMISSION

May 10, 2021

File/Case No. EO-2021-0389

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New-Mac Electric Cooperative, Inc.
Legal Department
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P.O. Box 310
Neosho, MO 64850

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.