

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

In the Matter of the Application of Cardwell)	
Lumber, Inc. for Approval of a Change of)	
Electrical Suppliers at its 5927 Highway 50 West,)	Case No. EO-2011-0052
Jefferson City, Missouri, Location from Union)	
Electric Company to Three Rivers Electric)	
Cooperative.)	

Joint Stipulation of Facts and of Law

COMES NOW Union Electric Company d/b/a Ameren Missouri (Ameren Missouri), the Staff of the Missouri Public Service Commission (Staff), the Office of the Public Counsel (OPC), Cardwell Lumber, Inc. (Cardwell Lumber), and Three Rivers Electric Cooperative (Three Rivers), and for their Joint Stipulation of Facts and of Law, state as follows:

1. Ameren Missouri is an electric utility subject to the jurisdiction of the Missouri Public Service Commission (Commission). § 386.250 RSMo (2000).
2. Three Rivers is a rural electric cooperative, organized pursuant to Chapter 394 of the Revised Statutes of Missouri.
3. Cardwell Lumber is a Missouri corporation engaged in the lumber business. Cardwell Lumber is on property (the “Cardwell Tract”), located at 5927 Business Highway 50 West, Jefferson City, Missouri, 65109. Cardwell Lumber is a customer of Ameren Missouri. The Cardwell Tract covers approximately 26 acres.
4. The Cardwell Tract is located within the city limits of St. Martins.
5. St. Martins has a population of less than fifteen hundred inhabitants as of the 2000 census.

6. Missouri's anti-flip-flop statutes are found at § 393.106.2 and § 394.315.2, RSMo 2000.

7. There is no existing Territorial Agreement applicable to the Cardwell Tract.

8. Three Rivers has the power to "...generate, manufacture, purchase, acquire, accumulate and transmit electric energy, and to distribute sell, supply, and dispose of electric energy in rural areas to its members, to governmental agencies and political subdivisions, and to other persons not in excess of ten percent of the number of its members." § 394.080.1(4) RSMo (2000).

9. A "rural area" is defined 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." § 394.020(3) RSMo (2000).

10. Ameren Missouri has been the electrical service provider for Cardwell Lumber since November 4, 2004. Ameren Missouri provided electrical power to the businesses located on the Cardwell Tract since sometime prior to April of 1986.

11. Cardwell Lumber takes service as a Small Primary Service (SPS) customer of Ameren Missouri, Service Classification 4 (M).

12. Cardwell Lumber owns other business locations in Novelty, Missouri, and in Frankford, Missouri. At Novelty, the power supplier is Lewis County Rural Electric Cooperative, which owns and maintains the primary electrical distribution facilities. At Frankford, the power supplier is Ralls County Electric Cooperative, which owns and maintains the primary electrical distribution facilities.

13. With respect to the Cardwell Tract in St. Martins, Cardwell Lumber owns and is responsible for maintaining all electrical facilities on Cardwell Lumber's side of the primary meter. These electrical facilities include at least ten (10) electrical poles, and approximately eighteen (18) transformers in five separate three phase transformer banks, and three single phase transformers, that serve several lumber facilities, structures, and associated equipment located on the Cardwell Tract. The electrical facilities on Cardwell Lumber's side of the primary meter are in need of repair or replacement.

14. The recent outage history for service to Cardwell Lumber is as follows:

A. Extended outages

2010 – None

2009 – Two

August 22, 2009, Cardwell Lumber was without power for 45 minutes. This outage was caused by a failure of a 12kV fuse on Cardwell Lumber's system.

May 26, 2009, Cardwell Lumber was without power for 56 minutes. This outage was caused by the failure of a 12kV fuse on Cardwell Lumber's system.

2008 – None

2007 – Two

June 10, 2007, Cardwell Lumber was without power for an hour and twelve minutes. This outage was caused by a lightning strike during a major storm.

December 9, 2007, This portion of Ameren Missouri's distribution was down for 45 hours and 22 minutes. This outage was caused by a tree limb on the primary line which serves Cardwell Lumber during a major ice storm. Cardwell Lumber's outage was longer due to damage to their system.

2006 - One

August 25, 2006, Cardwell Lumber was without power for an hour and 50 minutes. This outage was caused by relay problems on Ameren Missouri's system.

B. Momentary outages

2010 – Two; one during calm weather and one during a thunderstorm

2009 – One, during a thunderstorm.

2008 – Three; one during calm weather and two on same day during a thunderstorm.

15. The last cycle for vegetation management on the circuit supplying Cardwell Lumber was completed in 2005.

16. The last underground circuit inspection was completed on this feeder in March of 2010.

17. The last overhead circuit inspection was completed in September of 2008.

18. In January of 2008, Ameren Missouri installed a power quality monitor at the Cardwell Lumber boiler building. The monitor did not record any problems on Ameren Missouri's distribution system.

19. Ameren Missouri's tariff providing for modifications or enlargements of the Company's distribution system can be found in its electric tariffs at Schedule 5, 3rd Revised, Sheet No. 159.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a Ameren Missouri

/s/ Wendy K. Tatro

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ATTORNEY FOR THREE RIVERS ELECTRIC COOPERATIVE

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 this 5th day of November, 2010.

/s/ Wendy K. Tatro
Wendy K. Tatro