

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

In the Matter of the Application of Jerry West           )  
And Sharon West to Change the Electrical           )       Case No. EO-2009-0272  
Supplier for Part of their Property.                   )

**MOTION FOR LEAVE TO AMEND APPLICATION**

COME NOW, Jerry West, Sharon and West WIK, L.L.C. (hereinafter collectively referred to as the “Applicants”), by and through counsel, and move for leave of the Commission to file its First Amended Application pursuant to 4 CSR 240-2.080(20).

In support of their Motion for Leave to Amend, Applicants state the following:

1. On November 14, 2008, Jerry West and Sharon West filed a “Complaint” with the Commission.
2. On or about January 22, 2009, the Commission changed the designation of the case to a change of electrical supplier.
3. On June 1, 2008 the Commisison granted intervention by WIK, L.L.C.
4. Applicants have discovered an additional basis for this Commission to grant a change of electric supplier in this matter as there exists a substantial change in circumstances such that the Territorial Agreement between Ameren UE and Cuivre River Electric Cooperative, Inc. is no longer in the public interest.
5. This matter is set for hearing before the Commission on September 29, 2009.
6. No party would be prejudiced by the Commision granting Applicants’ Motion for Leave to Amend as all parties would have considerably more than the ten (10)

days allowed to respond to a pleading as set forth in 4 C.S.R 240-2.080 of the Commission's Practice and Procedure.

7. A copy of Applicants First Amended Application is attached hereto as Exhibit 1.

WHEREFORE, Jerry West, Sharon and West WIK, L.L.C. pray that the Commission grant its Motion for Leave to file its First Amended Application and for such further releif as this Commission deems just and proper.

SO ORDERED

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Date: \_\_\_\_\_

Respectfully submitted,

LATHROP & GAGE LLP

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Attorney for Applicants

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was mailed, hand delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10th day of September, 2009

/s/ Jeff R. Wagener

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Jeff Wagener  
Attorneys For Applicants