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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Union Electric Company and Gascosage)
Electric Cooperative for Approval of)
a Written Territorial Agreement) Case No. EO-98-279
Designating the Boundaries of Each)
Electric Service Supplier within)
Portions of Camden, Miller, Maries,)
Pulaski, and Phelps Counties, Missouri.)

ORDER AND NOTICE OF APPLICATION TO ENTER INTO A TERRITORIAL AGREEMENT

On January 5, 1998, Union Electric Company (UE) and Gascosage Electric Cooperative (Cooperative) filed a joint application with the Commission pursuant to Section 394.312, RSMo 1994, requesting approval of a territorial agreement between the joint applicants. A copy of the written territorial agreement and maps depicting that agreement were filed with the joint application, together with a metes and bounds description of the proposed service areas of the joint applicants.

The proposed agreement purports to designate the boundaries of the exclusive service area of each joint applicant for service of new structures in the Missouri counties of Camden, Miller, Maries, Phelps and Pulaski. The proposed agreement does not require the transfer of service or facilities between the joint applicants.

Section 394.312, RSMo 1994, requires both notice and an evidentiary hearing before the Commission may approve the proposed agreement. Unless good cause for delay exists, the Commission is required to issue its report and order in this case no later than May 4, 1998.

The Commission finds it appropriate that notice of this application be made to the general public and interested parties and that a date for intervention of proper parties be set.

The Records Department of the Commission shall provide notice of this application to the county commissions of Camden, Miller, Maries, Phelps and Pulaski counties, to all regulated electric utilities in the state of Missouri, and to the unregulated electric suppliers listed by the joint applicants as follows: Laclede Electric Cooperative, Southwest Electric Cooperative, Intercounty Electric Cooperative Assn., Co-Mo Electric Cooperative, Three River Electric Cooperative and the municipalities of Richland, Newburg, Waynesville and St. Robert.

Notice of this application shall also be given by the Information Officer of the Commission to the members of the General Assembly representing the Missouri counties of Camden, Miller, Maries, Phelps and Pulaski, and to all publications of general circulation in the counties of Camden, Miller, Maries, Phelps and Pulaski as set out in the *Official Manual of the State of Missouri*.

Proper persons wishing to intervene shall have until the close of business February 6, 1998 in which to file an application to intervene with the Secretary/Chief Regulatory Law Judge of the Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102 and delivering a copy to:

William B. Bobnar
Union Electric Company
1901 Chouteau Avenue
P.O. Box 149
St. Louis, Missouri 63166

Patrick A. Baumhoer
Victor A. Scott
Andereck, Evans, Milne, Peace & Baumhoer
305 East McCarty Street
P.O. Box 1280
Jefferson City, Missouri 65102-1280

IT IS THEREFORE ORDERED:

1. That the Records Department and Information Officer of the Commission are directed to send notice as indicated in this order.
2. That any interested party wishing to intervene in this case shall file an application requesting intervention no later than the close of business February 6, 1998.
3. That this order shall become effective on January 7, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Joseph A. Derque III, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 7th day of January, 1998.