

At a Session of the Public Service Commission held at its office in Jefferson City on the 11th day of September, 1992.

Respondent.

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¹All dates occur in 1992.

Staff's recommendation focuses on the application of this guideline to the facts stated by Company and Mr. Links. Staff concludes that Complainant did not formally request electrical service until "April, 1992, almost two years after the expiration date of the old provisions." The prehearing conference confirms Staff's analysis; Complainant's actual request for service came too late to qualify for the no-cost extension of service under Company's old tariff and guidelines, referenced above.

Having considered this matter, the Commission therefore finds that Company's motion to dismiss this complaint should be granted. The same result obtained in a similar complaint case, Emmett J. Hurt v. Union Electric Company, Case No. EC-92-175, decided by the Commission on July 10, 1992. In that matter, the Commission stated:

"The Commission is of the opinion that if Hurt had made a formal request for electrical service in April, 1990, then the tariff, as it existed at that time, should be applied. However, Hurt did not formally request electrical service until December 26, 1991, almost one and one-half (1-1/2) years after the tariff was changed. Therefore, the Commission determines that terms of the tariff which became effective on May 5, 1990, should be applied. The Commission recognizes that this places Hurt in a difficult position of requiring additional upfront financing to build his home. Nevertheless, the tariff was changed with Commission approval to ensure that UE's ratepayers do not subsidize individual customers who request extensive and costly electrical service installation."

Although the Commission sympathizes with Mr. Links, it cannot grant the relief he seeks. Notwithstanding this result, the Commission is advised that during the prehearing conference Union Electric's representatives explained two methods by which Complainant, and his landowner neighbors, would be able to obtain electrical power from Company at considerably less cost, (or at no cost), than the sum owing under Company's present tariff. For example, if only one or two of Complainant's neighboring landowners also request power from UE, Company's charges for extending its line will be substantially less than the sum now mandated under its present line extension tariff.

IT IS THEREFORE ORDERED:

1. That the formal complaint filed on May 26, 1992, by Complainant Roger M. Links against Respondent Union Electric Company is, on motion by Respondent, hereby dismissed.

2. That this order shall become effective on September 21, 1992.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,
Perkins and Kincheloe, CC., Concur.

