

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of Union)
Electric Company and Callaway Electric)
Cooperative for an Order Approving the)
Change in Electric Supplier for Certain)
Customers for Reasons in the Public Interest;)
Authorizing the Sale, Transfer, and)
Assignment of Certain Electric Distribution)
Facilities and Easements from Union Electric)
Company to Callaway Electric Cooperative;)
and Approving the Territorial Agreement)
between Union Electric Company and)
Callaway Electric Cooperative in Audrain,)
Boone, Callaway, Montgomery, and Warren)
Counties)

Case No. EO-2002-458

ORDER SETTING PREHEARING CONFERENCE

On March 25, 2002, Union Electric Company d/b/a AmerenUE (AmerenUE) and Callaway Electric Cooperative, Inc. (Cooperative) filed a verified joint application requesting that the Commission: 1) approve a change of supplier for approximately 800 structures in Audrain, Boone, Callaway, Montgomery, and Warren counties from Ameren to the Cooperative; 2) approve a change of supplier for approximately 600 structures in the same counties from the Cooperative to Ameren; 3) approve the sale of certain of AmerenUE's assets that were used to serve the transferred customers; 4) approve a territorial agreement between them; 5) approve a waiver of certain provisions of the Utility

Billing Practices Rule;¹ 6) grant AmerenUE a certificate of convenience and necessity for certain portions of Audrain and Callaway counties; and 7) establish a protective order.

A prehearing conference and procedural schedule are appropriate to ensure the prompt resolution of this matter. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives should also be prepared to discuss the current status of settlement negotiations. It is expected that the prehearing conference will provide an opportunity for the parties to further pursue settlement discussions.

The parties shall jointly file a proposed procedural schedule. The proposed procedural schedule shall establish dates for the filing of a list of the issues to be determined by the Commission and statements by the parties of their position on each such issue. *The proposed procedural schedule shall also include a date for the filing of a list of the witnesses to be called on each day of hearing, the order in which they shall appear and the order of cross-examination agreed upon by the parties.* The proposed procedural schedule shall also establish dates for the hearing of this matter, bearing in mind the statutory 120-day time frame for this case.

¹ 4 CSR 240-13

IT IS THEREFORE ORDERED:

1. That a prehearing conference shall be held on May 23, 2002, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's office in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards of the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.
2. That the parties shall file a proposed procedural schedule no later than May 30, 2002. The procedural schedule shall include dates for the filing of testimony and for a hearing.
3. That this order shall become effective on May 12, 2002.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lewis Mills, Deputy Chief Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of May, 2002.