

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 16th day of
June, 2005.

Application of Union Electric Company d/b/a)	
AmerenUE for Authority to Sell an Asset to)	<u>Case No. EO-2005-0369</u>
Behnen's Container Service.)	

ORDER GRANTING APPLICATION TO SELL ASSET

Issue Date: June 16, 2005

Effective Date: June 26, 2005

Syllabus: This order grants the application of Union Electric Company d/b/a AmerenUE to sell a transformer to Behnen's Container Service.

On April 15, 2005, AmerenUE asked for permission to sell a transformer to Behnen's. AmerenUE wishes to sell a 750 kV, three-phase transformer, Serial Number MFH-1994, to Behnen's. Behnen's currently leases this transformer from AmerenUE. AmerenUE does not serve any other customers with this transformer. After the sale, AmerenUE would continue to serve Behnen's just as it does now.

According to AmerenUE, the tax impact of this sale would be de minimis. Behnen's asked to buy the transformer, and the parties agreed upon a price of \$5,439.70. The sale would not affect any other customer, and would have negligible impact on AmerenUE's rate base. The sale would not negatively impact AmerenUE or its customers, and, therefore, the sale would not be detrimental to the public interest.

On April 18, the Commission issued an order and notice, giving interested parties until May 10 the chance to intervene. No parties requested intervention.

On June 10, the Staff of the Commission filed its Recommendation. Staff recommends that the Commission approve the sale. Staff stated that it visited Behnen's on June 6, and on that visit, confirmed that the facts are as AmerenUE stated.

Staff stated that the sale price of \$5,439.70 is the transformer's book value, and that crediting the sale proceeds to AmerenUE's depreciation reserve would result in no impact on AmerenUE's rate base. Staff also agreed the tax impact of this transaction would be minimal.

Section 393.190 requires an electrical corporation to get Commission approval before selling its assets. The Commission may not withhold approval of the sale unless the sale would be detrimental to the public interest.¹

The Commission has reviewed the application and Staff's recommendation. The Commission finds that the proposed transaction is not detrimental to the public interest and should be approved.

IT IS THEREFORE ORDERED:

1. That the Commission grants the application of Union Electric Company d/b/a AmerenUE for authority to sell a 750 kV, three-phase transformer, Serial Number MFH-1994, to Behnen's Container Service.
2. That this order shall become effective on June 26, 2005.

¹ See *State ex rel. Fee Fee Trunk Sewer, Inc. v. Litz*, 596 S.W.2d 466, 468 (Mo.App.E.D. 1980).

3. That this case may be closed on June 27, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur

Pridgin, Regulatory Law Judge