

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Macon Electric Cooperative and Union Electric Company, d/b/a AmerenUE for Approval of Case-By-Case Addendum No. 1 to a Written Territorial Agreement.)
) **Case No. EO-2006-0096**
)
)

ORDER DIRECTING NOTICE AND SETTING DATE FOR SUBMISSION OF INTERVENTION REQUESTS

Issue Date: September 2, 2005

Effective Date: September 2, 2005

On August 30, 2005, Macon Electric Cooperative and Union Electric Company, d/b/a AmerenUE filed a Notice of Addendum to Approved Territorial Agreement. The proposed addendum would allow Macon Electric Cooperative to extend its electric lines to serve a customer in the service territory of AmerenUE near Brookfield in Linn County, Missouri. The customer whose property would be served by the cooperative supports the proposed addendum.

Section 394.312, RSMo 2000, requires that such territorial agreements, including amendments to existing agreements, be submitted to the Missouri Public Service Commission for approval. The statute provides that the Commission may approve the submitted agreement if it determines that the agreement is not detrimental to the public interest.

The approved territorial agreement provides that the Commission's Staff and the Office of the Public Counsel have 45 days to file objections to the addendum or they will be deemed to have approved the addendum. That provision means that Staff and Public Counsel will have waived any objection to the addendum if they have not raised such

objection within 45 days. The provision does not, however, mean that the Commission will have been deemed to have approved the addendum after 45 days, or that the addendum will automatically go into effect at that time, contrary to paragraph 5 of the proposed addendum. As required by the controlling statute, the addendum will not go into effect until it is approved by the Commission.

The Commission finds that notice of this proposed addendum should be given to the general public and potentially interested parties. A date for intervention of proper parties will also be set. The Commission's Data Center shall mail a copy of this notice to the County Commission of Linn County. In addition, the Commission's public information officer shall make notice of this order available to the media serving Linn County and to the members of the General Assembly representing Linn County.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary.

IT IS THEREFORE ORDERED:

1. That the Missouri Public Service Commission's Data Center is ordered to serve notice as set out herein.
2. That the Missouri Public Service Commission's information officer is ordered to serve notice as set out herein.
3. That any proper person wishing to intervene in this matter shall file an application to do so no later than September 26, 2005. Such applications shall be filed with:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

with a copy served on:

Victor S. Scott
Andrew Sporleder
Andereck Evans, Milne, Peace & Johnson, L.L.C.
700 E. Capitol Ave.
P.O. Box 1438
Jefferson City, Missouri 65102

Attorneys for Macon Electric Cooperative

William B. Bobnar
1901 Chouteau Ave.
P.O. Box 149
St. Louis, Missouri 63166

Attorney for Union Electric Company, d/b/a AmerenUE

and:

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

4. That this order shall become effective on September 2, 2005.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Morris L. Woodruff, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of September, 2005.