

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri and Laclede) **File No. EO-2013-0418**
Electric Cooperative for Approval of an Addendum)
to an Approved Territorial Agreement)

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND DIRECTING FILING

Issue Date: March 14, 2013

Effective Date: March 14, 2013

On March 12, 2013, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and Laclede Electric Cooperative (“Laclede”) (collectively, “Applicants”) filed a joint application with the Missouri Public Service Commission (“Commission”) for approval of an addendum to an approved territorial agreement. The Applicants propose to amend their existing territorial agreement to allow a single residential structure located at 864 Lowell Williams Road, Linn Creek, Camden County, Missouri, to receive electric service from Ameren Missouri even though that structure is located within Laclede’s exclusive service area. The Applicants state that approval of the addendum to the territorial agreement will not change any of the other terms or conditions of the territorial agreement or change the boundaries of the exclusive electric service territories of either Laclede or Ameren Missouri.

The law requires the Commission to rule on the application no later than 120 days from the application's filing date,¹ and provides the right to a hearing.² The

¹ Section 394.312.4, RSMo Supp. 2012.

² Section 394.312.5, RSMo Supp. 2012.

right to a hearing on a territorial agreement signifies a contested case.³ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁴ and a decision without a hearing,⁵ including by stipulation and agreement.⁶ This notice does not require any party to file an answer.⁷ The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

The statutes provide that "notice of such filing shall be given to other electrical suppliers pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity."⁸ No such regulation contains any provision for notice. Therefore, the Commission will order notice delivered to elected officials and published in newspapers, set a deadline for intervention, and direct the filing of a staff recommendation.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send a copy of this order to the county commissioners of Camden County, Missouri.
2. The Commission's Public Information Office shall send notice to the members of the General Assembly representing Camden County, Missouri and to the newspapers and other media serving that county.
3. Any person or entity wishing to intervene in this matter shall file an application to intervene no later than March 28, 2013. Such applications shall be filed by delivery to:

³ Section 536.010(4), RSMo Supp. 2012.

⁴ Sections 536.060(3) and 536.063(3), RSMo 2000.

⁵ Sections 536.060, RSMo 2000.

⁶ Section 394.312.5, RSMo Supp. 2012; 4 CSR 240-2.115.

⁷ Section 536.067(2)(d), RSMo 2000.

⁸ Section 394.312.4, RSMo Supp. 2012.

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

or by using the Commission's electronic filing and information system.

4. The Commission's Staff shall file a recommendation on the application no later than April 15, 2013.

5. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Shelley Brueggemann".

Shelley Brueggemann
Acting Secretary

Michael Bushmann, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 14th day of March, 2013.