

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Wasatch Investments, LC, for Change of Electric Supplier.) **Case No. EO-2008-0031**

ORDER DIRECTING PARTIES TO RESPOND

Issue Date: October 1, 2007

Effective Date: October 1, 2007

On August 1, 2007, Wasatch Investments, LC, (Wasatch) filed a verified application for a change of electric supplier from Union Electric Company, d/b/a AmerenUE, to Cuivre River Electric. The request appears to be for electric service supplied to a business to be operated by Mr. Ronald L. Fuend at 1665 Kemmar Court, O'Fallon, Missouri 63145.

Wasatch's application was initially deficient in that the party signing the application, Ronald L. Fruend, was not a Missouri-licensed attorney as required by Commission Rule 4 CSR 240-2.040(3)(C). On September 27, 2007, Jeffrey M. Witt, a Missouri-licensed attorney, entered his appearance in this proceeding on behalf of Wasatch. Mr. Witt further acknowledged all filings previously made by Wastach in this case.

On August 2, 2007, the Commission issued an order that, among other things, made AmerenUE and Cuivre River parties to this matter, set September 4, 2007, as the deadline for parties to respond to the application, and directed its Staff to file its recommendation regarding the application. On September 14, 2007, Staff timely filed its

“Recommendation the Commission Issue Order to Show Cause.” No other responses to the application were filed.

Based upon its review of Wasatch's application, Staff recommends the Commission dismiss that application as unlawful. However, Staff believes Wasatch could lawfully obtain electric service from Cuivre River through a territorial agreement between Cuivre River, AmerenUE and the City of O'Fallon under Section 394.315.2, RSMo 2000. Staff further recommends that the Commission direct Wasatch, AmerenUE and Cuivre River to respond to its analysis. The Commission finds Staff's recommendation to be reasonable and will direct the parties to so respond.

IT IS ORDERED THAT:

1. On or before October 12, 2007, Wasatch Investments, LC, Union Electric Company, d/b/a AmerenUE, and Cuivre River Electric shall each file a response to the arguments raised on pages 2 through 5 of the “Staff Recommendation the Commission Issue Order to Show Cause” filed on September 14, 2007.

2. This order shall become effective on October 1, 2007.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Cherlyn D. Voss, Regulatory Law Judge,
by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of October, 2007.