

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

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

**STAFF'S RECOMMENDATION
FOR APPROVAL OF JOINT APPLICATION**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and submits Staff's Recommendation the Commission approve the *Joint Application for Approval of an Addendum to An Approved Territorial Agreement* ("Joint Application") filed by Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") and Laclede Electric Cooperative ("Laclede") to amend their approved territorial agreement by the terms of Addendum No. 2.¹ In support of Staff's recommendation, Staff states as follows:

1. On March 12, 2013, Ameren Missouri and Laclede filed their *Joint Application* requesting that the Commission approve a second amendment to their existing territorial agreement² that would allow Ameren Missouri, rather than Laclede, to provide electrical service to a new residential structure (a mobile home) at 864 Lowell Williams Road, Linn Creek, Missouri.

¹ Staff notes that the first paragraph of Appendix 4 to the Joint Application titled, "Addendum No. 2 to Territorial Agreement between Union Electric Company and Laclede Electric Cooperative, Inc.," erroneously states it is "Addendum No. 1."

² The Commission approved the existing territorial agreement in Case No. EO-95-151, 3 MoPSC3d 349.

2. On March 14, 2013, the Commission issued an order³ directing Staff to file a recommendation no later than April 15, 2013.

3. Section 394.312 RSMo authorizes territorial agreements to displace competition to provide retail electric service, as between rural electric cooperatives, electrical corporations and municipally owned utilities. The Commission may approve territorial agreements, original and amended, “if it determines that approval of the territorial agreement in total is not detrimental to the public interest.”⁴

4. Staff has reviewed the Joint Application, which includes signed affidavits from the Williams, who are the owners of the new structure that is the subject of the Joint Application, stating their desire for Ameren Missouri to be their permanent service provider to their new mobile home at 864 Lowell Williams Road, Linn Creek, Missouri. Staff determined that approval of the Joint Application is not detrimental to the public interest, and therefore recommends that the Commission approve Addendum No. 2. Addendum No. 2 to the territorial agreement between Ameren Missouri and Laclede, dated February 5, 2013, and attached as Appendix 4 to the Application, is a modification to their existing 1994 territorial agreement that, should the Commission approve it, will allow Ameren Missouri, rather than Laclede, to provide electric service to the Williams’ mobile home. Staff’s detailed findings and recommendation is attached as Staff’s Memorandum, attached hereto and incorporated by reference herein.

WHEREFORE, Staff respectfully submits *Staff’s Recommendation for Approval of Joint Application* for the Commission’s information and consideration, and recommends the Commission determine that the 1994 territorial agreement between

³ Order Directing Notice, Setting Intervention Deadline, and Directing Filing in File No. EO-2013-0418.

⁴ Sections 394.312.4 and 394.312.5 RSMo.

Union Electric Company and Laclede Electric Cooperative amended by Addendum No. 1, as further amended by Addendum No. 2, is not detrimental to the public interest. Staff further recommends the Commission order Ameren Missouri to file revised tariff sheets to reflect the change in where it may provide electric service resulting from approving the Addendum No. 2 change to the 1994 territorial agreement.

Respectfully submitted,

/s/ Goldie Tompkins
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **12th day of April, 2013**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Goldie Tompkins