

**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 Farmers') **File No. EO-2014-0044**
Electric Cooperative for Approval of an Addendum)
to an Approved Territorial Agreement)

ORDER DIRECTING NOTICE AND SETTING INTERVENTION DEADLINE

Issue Date: August 23, 2013

Effective Date: August 23, 2013

On August 20, 2013, Farmers' Electric Cooperative ("Farmers") and Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") (collectively, "Applicants") filed a joint application with the 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 CR 412 in Mooresville, Missouri, and owned by Beetsma Farms, Inc. to receive electric service from Farmers even though that structure is located within Ameren Missouri'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 Farmers 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 right to a hearing on a territorial agreement signifies a contested case.³ A contested case is a formal

¹ Section 394.312.4, RSMo Cum.Supp. 2012.

² Section 394.312.5, RSMo Cum.Supp. 2012.

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

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 Livingston County, Missouri.
2. The Commission's Public Information Office shall make this notice available to the members of the General Assembly representing Livingston 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 September 23, 2013. Such applications shall be filed by delivery to:

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

⁵ Sections 536.060, RSMo 2000.

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

⁷ Section 536.067(2)(d), RSMo 2000.

⁸ Section 394.312.4, RSMo Cum.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 (EFIS).

4. This order shall become effective immediately upon issuance.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kim S. Burton, Regulatory Law Judge
by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 23rd day of August, 2013.