

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

In the Matter of the Application of Jerry West)
And Sharon West to Change the Electrical) Case No. EO-2009-0272
Supplier for Part of their Property.)

**FIRST AMENDED APPLICATION FOR
CHANGE OF ELECTRICAL SUPPLIER**

COME NOW, Jerry West, Sharon and West WIK, L.L.C. (hereinafter collectively referred to as the “Applicants”), by and through counsel, and for their First Amended Application for Change of Electrical Supplier states the following:

1. Applicants incorporate by reference each and every allegation contained in the Complaint filed by Jerry West and Sharon West on November 14, 2008 and designated by the Commission on January 22, 2009 as an application for change of electrical supplier, as if fully set forth herein.

2. The Territorial Agreement makes provisions for structures located on or crossed by any territorial line and for new structures in certain multi-tract contiguous development areas, but neither the parties to the Territorial Agreement nor the Commisison anticipated the scenerio at issue in the case at bar and the hardship caused to the public when a property owner erects an additional structure on the same parcel of property where the owner is already serviced by one supplier but is now subject to having multiple suppliers on the property.

3. Cuivre River is currently providing electrical service to all of the structures and the water well located on Applicants’ property (permanent service to 7335

and 7333 Weldon Springs Road and temporary service to 7331 Weldon Springs Road) and Applicants are well pleased with its service they receive.

3. Because Cuivre River is already providing electrical service to all of the structures and the water well located on Applicants' property, Cuivre River has already expended money to provide the infrastructure necessary to provide the service and is capable of continuing the service indefinitely for no additional cost to Missouri taxpayers.

4. If the Commission does not allow Applicants to retain Cuivre River as their electrical supplier, Ameren UE will unnecessarily have to run power lines, install electrical poles and transformers and other equipment and perform any other necessary work to provide service to Applicants, all at the expense of Missouri taxpayers.

5. For all of the reasons set forth in Applicants First Amended Application for Change of Electrical Supplier, there exists a substantial change in circumstances since the Commission approved the Territorial Agreement between Ameren UE and Cuivre River Electric Cooperative, Inc. such that the Territorial Agreement Inc. is no longer in the public's interest.

WHEREFORE, Jerry West, Sharon West and WIK, L.L.C. pray that the Commission grant its Application for change of electrical supplier to Cuivre River and for such further relief as this Commission deems just and proper.

SO ORDERED

Date: _____

Respectfully submitted,

LATHROP & GAGE LLP

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was mailed, hand delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10th day of September, 2009

/s/ Jeff R. Wagener

Jeff Wagener
Attorneys For Applicants