

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

In the Matter of the Application of Co-Mo                    )  
Electric Cooperative for Approval of                        )       File No. EO-2022-0190  
Designated Service Boundaries Within                    )  
Portions of Cooper County, Missouri.                    )

**AMEREN MISSOURI'S MOTION FOR SUMMARY  
DETERMINATION**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its motion for summary determination respecting the above-captioned matter, submitted pursuant to 20 CSR 4240-2.117, states as follows:

**Statement of Undisputed Material  
Facts**

1. Ameren Missouri filed an application seeking an area certificate of public convenience and necessity to provide electric service of its former subsidiaries on June 8, 1987.<sup>1</sup> See Exhibits 1-4. The Commission docketed the proceeding and gave the proper parties the opportunity to intervene. Co-Mo Electric Cooperative ("Co-Mo") intervened in the case along with 42 other Rural Electrification Administration ("REA") financed electric power suppliers. See Exhibit 5, Application to Intervene, Case No. EA-87-159.<sup>2</sup>

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<sup>1</sup> Ameren Missouri filed the Application in Case No. EA-87-159 and requested area certificates so the Commission could make determinations regarding the appropriate areas that it, and its former subsidiaries, should serve, including to minimize future litigation regarding such matters.. See, e.g., Exhibits 1-3; *Report and Order* in Case No. 11,568, decided on May 19, 1949, (*the Commission authorized the Company to acquire all of the issued and outstanding common stock of Missouri Power & Light Company (“MP&L”)*); *Report and Order* dated December 15, 1983, as supplemented by its *Supplemental Order* dated December 28, 1983, (*each of which was issued by the Commission in Case No. EM-83-248, in which the Commission approved the Company’s merger of MP&L into the Company, with the Company to be the surviving entity*). After the merger, Ameren Missouri’s exclusive service territory, by virtue of it having succeeded to MP&L’s rights under MP&L’s Commission-approved area certificates, included Boonville and the Company continued the service previously provided to Boonville by MP&L. See PSC. Schedule No. 5, Sheet No. 6, effective January 27, 1984 (issued in compliance with the Commission’s above-referenced merger approval orders in Case No. EM-83-248), attached hereto as Exhibit 4.

<sup>2</sup> Exhibit 6, which resolved Case No. EA-87-159 reflects that the Commission granted Co-Mo's intervention, along with the other 42 cooperatives.

2. After hearing the matter, the Commission issued its *Report and Order* on April 27, 1990, whereby it designated certain areas of the state as within Ameren Missouri's exclusive service territory, including portions of Cooper County, Missouri not within the corporate limits of Boonville. That *Report and Order* was supplemented by a *Supplemental Report and Order* effective April 12, 1991, whereby the Commission directed the Company to file tariffs to be approved by the Commission "reflecting a certificate granted to Union Electric." See Exhibits 6 and 7. In compliance with the Commission's order in Case No. EA-87-159, the Company filed revised tariff sheets specifying its exclusive service territory as determined by the Commission by reference to the appropriate sections, townships, and ranges, including its territory in Cooper County. See Exhibit 8. The Commission then approved those tariffs. See *Order Approving Tariffs*, Case No. EA-87-159 (Issued Aug. 9, 1991), attached hereto as Exhibit 9.

3. The tariff sheets attached hereto as Exhibit 8, reflecting the Company's exclusive service territory in Cooper County, were three of the tariff sheets approved by the August 9, 1991, order (specifically, Third Revised Sheet Nos. 17, 18, and 19, reflecting the Company's Cooper County service territory). Exhibit 8; Exhibit 9.

4. File No. EA-87-159 was a case litigated on a consolidated basis with other cases filed at the time by affiliates of several Missouri rural electric cooperatives whereby those affiliates sought area certificates that would have allowed them to allow their affiliates to exclusively serve large swaths of rural Missouri.<sup>3</sup> Those requests were denied by the Commission. Ex. 6, reflecting a consolidated order disposing of File No. EA-87-159 and the related cooperative cases captioned therein.

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<sup>3</sup> The cooperatives had formed service corporations which they desired to become electrical corporations under the Commission's jurisdiction, but the electric service providers themselves would have been the rural electric cooperative corporations operating under Chapter 394, outside the Commission's jurisdiction except as to matters of safety as prescribed by law.

5. Exhibits 8 and 9 establish that Sections 5 and 8, Township 48 North, Range 16 West, Cooper County, Missouri, were designated by the Commission as being part of the Company's exclusive service territory. As indicated on the Company's currently effective service territory tariff sheets for Cooper County, which are attached hereto as Exhibit 10, those land sections continue to be part of the Company's exclusive service territory.

6. According to Appendix E to the Application filed by Co-Mo in this docket, the area in question is located entirely within Sections 5 and 8, Township 48 North, Range 16 West, Cooper County, Missouri. Appendix C to Co-Mo's Application, which includes a copy of Boonville's annexation ordinance for the subject property, also reflects that the subject property is located entirely within said Sections.

7. Attached hereto as Exhibit 11 are maps showing the Company's exclusive service territory in the general area where the subject property is located, including the property that is the subject of this case, which has been labelled "Fox Hollow," which is the proposed name of the subdivision planned for the property, as indicated by Co-Mo's Application. Exhibit 10; Webb Affidavit, ¶ 3.

8. There are no structures located on the subject property and no electric service provider provides electric service to any structure on the property. Webb Affidavit, ¶ 4.

9. The only electric service providers in Cooper County are Co-Mo and Ameren Missouri. There are no territorial agreements in place between Co-Mo and Ameren Missouri pertaining to Cooper County. Webb Affidavit, ¶ 5.

10. Troy Thurman Construction Company, owned by Mr. Troy Thurman, is the owner and developer of the Fox Hollow subdivision. Co-Mo Application, ¶ 3.

11. The developer invoked the provisions of §386.800, expressing the developer's preference that Co-Mo provide electric service for the Fox Hollow subdivision. *Id.*

12. Co-Mo has a single-phase overhead line located on the north side of Highway 98 north of the subject property. Co-Mo has a single-phase overhead line located approximately one mile to the southwest of the subject property. Webb Affidavit, ¶ 6.

13. The Company has distribution and sub-transmission facilities located adjacent to the north boundary of the subject property on the south side of Highway 98, as well as other nearby facilities as shown on page 3 of Exhibit 11. Webb Affidavit, ¶ 7.

14. Section 386.800 was amended in the 2021 Regular Session of the General Assembly.<sup>4</sup> Exhibit 12 hereto shows the 2021 changes made to Section 386.800 and compared to the pre-2021 statute.

15. Boonville does not own or operate a municipal utility. Webb Affidavit, ¶ 9.

16. Co-Mo's Application requests the Commission to enter its order designating the subject property as being within the exclusive service territory of Co-Mo and invokes as authority for its request amended Section 386.800. Co-Mo Application.

### **Motion for Summary Determination**

17. Under 20 CSR 4240-2.117(1)(E), summary determination should be granted where “the pleadings, testimony, discovery, affidavits, and memoranda on file show that there is no genuine issue as to any material fact, that any party is entitled to relief as a matter of law as to all or any part of the case, and the commission determines that it is in the public interest.” Summary determination is appropriate in this case because § 386.800, as amended in 2021, does

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<sup>4</sup> 2021 H.B. 271 merged with H.B. 734 merged with S.B. 44.

not apply when the area in question is within the Commission-approved exclusive service territory of the electrical corporation at issue, as here.

18. Because there are no genuine issues of material fact and Ameren Missouri is entitled to a decision in its favor as a matter of law, Ameren Missouri is entitled to summary determination in its favor. As required by 20 CSR 4240-2.117(1)(B), Ameren Missouri files contemporaneously with this Motion a legal memorandum explaining why summary determination should be granted and incorporates said memorandum herein.

**WHEREFORE**, for the reasons outlined herein, Ameren Missouri prays that the Commission make and enter its order granting summary determination in favor of Ameren Missouri and dismissing Co-Mo's Application with prejudice.

Respectfully submitted,

/s/ **James B. Lowery**

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**ATTORNEYS FOR UNION ELECTRIC  
COMPANY d/b/a AMEREN MISSOURI**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this 14th day of February 2022, served the foregoing either by electronic means, or by U. S. Mail, postage prepaid addressed to all parties of record.

**/s/James B. Lowery**  
James B. Lowery

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

In the Matter of the Application of Co-Mo                    )  
Electric Cooperative for Approval of                         )  
Designated Service Boundaries Within                     )  
Portions of Cooper County, Missouri.                     )         File No. EO-2022-0190

COUNTY OF COLE             )  
  ) ss.  
STATE OF MISSOURI         )

**AFFIDAVIT OF RALPH (“CHIP”) WEBB**

Ralph (“Chip”) Webb, being the age of 18 or older and upon his oath, states as follows:

1. My name is Ralph (“Chip”) Webb.
2. I am the Director of the Central Missouri Division of Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”). My responsibilities include ensuring service to all electric and gas customers within the respective electric and gas service territories of Ameren Missouri in Central Missouri, including in Cooper County, Missouri. I have been employed by Ameren Missouri since 1980, and have had responsibilities relating to service in Central Missouri since 2014. I am familiar with all of the Company’s service territory in Cooper County, Missouri, including the electric facilities of Ameren Missouri and of Co-Mo in the area.
3. Exhibit 11 to the Company’s Motion for Summary Determination was prepared at my direction based on section, township, and range information from the United States Bureau of Land Management’s Public Land Survey System, and from the Company’s electric service tariffs designating its exclusive service territory in Cooper County (Exhibit 10 to Ameren Missouri’s Motion for Summary Determination).
4. There are no structures located on the subject property and no electric service provider provides electric service to any structure on the property.

5. The only electric service providers in Cooper County are Co-Mo and Ameren Missouri. There are no territorial agreements in place between Co-Mo and Ameren Missouri pertaining to Cooper County.

6. Co-Mo has a single-phase overhead line located on the north side of Highway 98 north of the subject property. Co-Mo has a single-phase overhead line located approximately 1 mile to the southwest of the subject property.

7. The Company has distribution and sub-transmission facilities located adjacent to the north boundary of the subject property on the south side of Highway 98, as well as other nearby facilities as shown on page 3 of Exhibit 11.

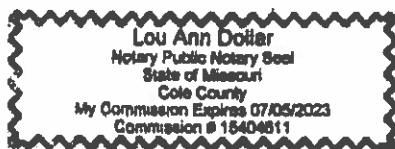
Ameren Missouri has continuously provided electric service in Boonville and in the vicinity of Boonville since its former subsidiary, Missouri Power & Light Company, was merged into Ameren Missouri in 1983. Missouri Power & Light Company provided service in Boonville and the vicinity of Boonville prior to the merger.


8. Boonville does not own or operate a municipal utility.

9. Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Ralph ("Chip") Webb

Subscribed and sworn to before me, a Notary Public in the state of Missouri, on this \_\_\_\_ day of February, 2022.



  
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Notary Public Lou ANN DOLLAR



In the matter of the application of UNION ELECTRIC..., 1949 WL 70584 (1949)

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1949 WL 70584 (Mo.P.S.C.)

**In the matter of the application of UNION ELECTRIC COMPANY OF MISSOURI for authority to acquire all of the outstanding common stock of Missouri Power & Light Company in consideration of the issue of additional shares of common stock of Union Electric Company of Missouri.**

Case No. 11,567

**In the matter of the application of THE NORTH AMERICAN COMPANY for authority (a) to acquire 1,500,000 shares of common stock of Missouri Power & Light Company and (b) to acquire 600,000 additional shares of common stock without par value of Union Electric Company of Missouri in consideration for said 1,500,000 shares of common stock of Missouri Power & Light Company.**

Case No. 11,568

**Missouri Public Service Commission**

**Decided May 19, 1949**

APPEARANCES:

John A. Woodbridge of St. Louis for applicants.  
REPORT AND ORDER OF THE COMMISSION

OSBURN, Chr.; WILLIAMS, HENSON, RANDOLPH and MCCLINTOCK, CC., Concur.

\*1 The acquisition of the common stock of the **Missouri Power** and **Light** Company by the Union Electric Company of Missouri was approved after the Commission found that the integration of the two companies would not be detrimental to the public interest but, rather, economy and efficiency in operations would be furthered thereby.

The acquisition by an electric and power company of the common stock of a like company which was to be integrated therewith was considered the acquisition of property, and such acquisition was found not to be in whole or in part reasonably chargeable to operating expense or income.

The consideration paid by an electric and power company for the common stock of a like electric and power company which was to be integrated with the purchaser, said consideration consisting of common stock of the purchaser, was found to be reasonable.

An electric company acquiring the common stock of a like company which was to be integrated therewith was permitted to record such stock in its investment account at the underlying net book value of such stock less the amount in the acquisition adjustment account on the books of the purchased company.

An electric and power company was authorized to record in its books and records the issue of its common stock by allocating the greater portion of the consideration therefor to stated capital and the balance to capital surplus because the actual amount to be received could not be determined until close to the date of transfer and the use of this method would permit required adjustments to be handled through capital surplus; however, the amount allocated to the capital account was required to be not less than the average per share stated capital of the outstanding common stock multiplied by the number of shares issued.

The Commission recognized the exclusive jurisdiction of the Securities and Exchange Commission over the subject of the retainability of the gas properties in a holding company system consisting principally of electric properties, but it pointed out that certain economies were apparent in the dual operation of gas and electric properties by a certain utility company.

**In the matter of the application of UNION ELECTRIC..., 1949 WL 70584 (1949)**

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The Commission stated that the acquisition of an electric company by another like company would not in its opinion be detrimental to the public interest, even though the operations of the purchased company which now operated gas properties might ultimately be limited to an electrical corporation.

**BY THE COMMISSION:**

These cases are before the Commission on applications filed February 18, 1949 by Union Electric Company of Missouri, herein sometimes referred to as Union Electric, and The North American Company, herein sometimes referred to as North American.

Union Electric requests authority to acquire from North American the entire outstanding common stock of Missouri Power & Light Company, herein sometimes referred to as the Missouri Company, consisting of 1,500,000 shares of the par value of \$5.00 per share, and to issue and deliver in consideration therefor to North American 600,000 additional shares of common stock, without par value, of Union Electric. North American, which now owns all of the outstanding common stock of Union Electric, requests authority to acquire the 1,500,000 shares of common stock of the Missouri Company from the present owner thereof, North American Light & Power Company, and to acquire the 600,000 additional shares of common stock of Union Electric in consideration of the transfer to Union Electric of such common stock of the Missouri Company.

\*2 As to the acquisition of stocks here involved, the authority of the Commission is invoked under subdivision 2 of Section 5651, Revised Statutes of Missouri, 1939, which provides, among other things, that no electrical corporation shall acquire the stock of any other corporation incorporated for, or engaged in, the same or a similar business or operating under a franchise from the same or any other municipality, unless authorized so to do by the Commission, and that no stock corporation, domestic or foreign, other than specified public utility corporations, shall, without the consent of the Commission, purchase or acquire, take or hold, more than ten per centum of the total capital stock issued by any gas corporation, electrical corporation or water corporation organized or existing under or by virtue of the laws of the State of Missouri.

The authority of the Commission over the proposed issue of additional common stock of Union Electric is found in Sections 5650 and 5652, Revised Statutes of Missouri, 1939. Section 5650 provides in substance that the power of electrical corporations to issue securities is a special privilege, the right of supervision, regulation, restriction and control of which is vested in the State, and such power shall be exercised as provided by law and under such rules and regulations as the Commission may prescribe. Section 5652 specifies the purposes, including the acquisition of property, for which securities may be issued by such corporations with the authority of the Commission.

The cases were consolidated for hearing, and a hearing thereon was held at Jefferson City, Missouri, on May 3, 1949, at which time all interested parties were given an opportunity to be heard. Evidence was submitted and testimony introduced concerning the financial condition and operations of Union Electric and the Missouri Company, present and possible future inter-connections between the electric systems of the two companies, advantages which would accrue if the Missouri Company should become a subsidiary of Union Electric, the economies of joint operation by the Missouri Company of the electric and gas businesses conducted by it, and other pertinent matters relative to the authority requested in the applications. No evidence was presented in opposition to the requested authority, and, upon conclusion of the hearing, the case was submitted on the record.

**FINDINGS OF FACT**

Upon the evidence adduced, we find the facts to be:

Both Union Electric and the Missouri Company are public utility companies, organized under the laws of the State of Missouri, primarily engaged in the electric business, and have been under the jurisdiction and regulation of this Commission for many years. All of the outstanding common stock of Union Electric is owned directly by North American, while all of the outstanding common stock of the Missouri Company is owned by North American Light & Power Company, which in turn is a subsidiary of North American. Pursuant to a plan for the liquidation and dissolution of North American Light & Power Company, North American will receive the residual assets of that company including the common stock of the Missouri Company. Such plan has been approved by the Securities and Exchange Commission under the *Public Utility Holding Company Act* of 1935 and also by the federal courts. North American has for some time been subject to an order of the

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Securities and Exchange Commission to dispose of its interest in the Missouri Company, and the subject matter of this proceeding is the proposed transfer of such interest to Union Electric in consideration for additional common stock of Union Electric.

\*3 The outstanding funded debt and capital stock of the Missouri Company and Union Electric are set forth below:

**MISSOURI COMPANY**

First Mortgage Bonds, 2 <sup>3</sup> / <sub>4</sub> % Series Due 1976	\$7,500,000
2 <sup>1</sup> / <sub>4</sub> % Promissory Note Due March 1, 1951	1,500,000
Preferred Stock, 3.90% Series, Par Value \$100 Per Share, 40,000 Shares	4,000,000
Common Stock, Par Value \$5 Per Share, 1,500,000 Shares	7,500,000

**UNION ELECTRIC**

First Mortgage and Collateral Trust Bonds	
3 <sup>3</sup> / <sub>8</sub> % Series Due 1971	\$90,000,000
2 <sup>3</sup> / <sub>4</sub> % Series Due 1975	13,000,000
3% Debentures Due 1968	25,000,000
Preferred Stock, Without Par Value	
\$4.50 Series, 213,597 Shares	\$21,359,700
\$3.70 Series, 40,000 Shares	4,000,000
\$3.00 Series, 130,000 Shares	13,000,000
Common Stock, Without Par Value, 9,782,500 Shares	65,000,000

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As of November 30, 1948, the outstanding common stock of the Missouri Company consisted of 1,060,000 shares aggregating \$5,300,000, but has been increased to its present amount by recent purchases by North American Light & Power Company of 440,000 additional shares for \$2,200,000 in cash. North American has agreed to purchase on or before June 30, 1949, 367,500 additional shares of common stock of Union Electric for \$5,000,000 in cash, and on March 31, 1948, North American purchased 100,000 shares of such common stock for \$5,000,000, which purchase was effected prior to the three and one-half for one split-up of Union Electric's common stock in December, 1948. Thus, the equity capital requirements of the Missouri Company and Union Electric have been supplied by their respective immediate parent companies.

The electric systems of the Missouri Company and Union Electric are adjacent to each other and are now inter-connected at several points. The Missouri Company's system serves an area of some 12,480 square miles, stretching across the northern part of the State of Missouri, having a population of approximately 164,500. The territory is largely rural and agricultural, but includes in the 167 communities served the State Capitol, Jefferson City, with a population of 24,268. Other principal cities served include Moberly, Kirks-ville, Mexico, Boonville, Brookfield, Clinton, Excelsior Springs and Hermann, with populations ranging from 12,920 down to 2,308. Union Electric, together with its wholly owned subsidiary, Union Electric Power Company, serves an area of approximately 3,669 square miles with a population in excess of 1,500,000, the principal part of which is embraced in the metropolitan St. Louis area which includes the City of St. Louis and the counties of St. Louis and St. Charles in Missouri and St. Clair and Madison in Illinois. The relative operations of the two systems are also indicated by the following comparisons in recent approximate figures:

	MISSOURI COMPANY SYSTEM	UNION ELECTRIC SYSTEM
Total Customers	76,571	470,000
Electric Customers	56,596	461,325
Total Operating Revenues	\$6,858,000	\$66,404,000
Electric Operating Revenues	\$5,391,000	\$63,260,000
Property and Plant	\$22,834,000	\$304,195,000
Kilowatt Hour Sales	234,000,000	4,593,000,000
Generating Capacity (kw)	35,708	906,000*

\*4 The Missouri Company is now engaged in installing a new 7,500 kw unit at Mexico, Missouri, which is expected to be in service in July, 1949, and the installation of an additional 11,500 kw unit is expected to be completed by the latter part of 1950. The Union Electric system now has under construction two additional 80,000 kw units at its Venice No. 2 plant in Illinois, expected to be in operation in 1950, and a 110,000 kw unit has been ordered for a new plant expected to be in operation in 1952. It is also expected that by 1953 the Union Electric system will be relieved by progressive stages of the load of one of its largest power customers, Illinois Power Company, which in 1948 purchased approximately 725,000,000 kwh. Union Electric estimates that in 1950 and 1951 its system reserve will be between 116,000 and 131,000 kw as compared with a total expected maximum demand of 935,000 to 950,000 kw in those years, and states that its future

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construction program contemplates a reserve after that time ranging from 12 to 17% of maximum demand, with a minimum reserve of approximately 125,000 kw.

The growth in the Missouri Company's load has been particularly rapid since 1944, increasing since then by approximately 6,000 kw a year, reaching a peak load of 57,572 in 1948. The number of its electric customers was fairly constant from 1940 to 1943, but since then has increased by from 1,500 to over 2,000 per year. It was testified that the load is expected to continue to grow for a considerable number of years, at least as fast as during recent years, both through an increase in number of customers and through increased usage by individual customers. As pointed out in the above comparative tabulation, the present generating capacity of the Missouri system is 35,708 kw, while its peak load in 1948 was 57,572 kw. Its energy requirements in excess of its own generation are supplied by Kansas City Power & Light Company for the Excelsior Springs area in the western part of the State and by Missouri Public Service Corporation for the Clinton area in the southwest corner of the Missouri Company's system. Approximately 51,000 kw, or about 88% of the total 1948 peak load of 57,522 kw, is associated with the system's major inter-connected area from Brookfield to the east, and this portion was supplied essentially by 31,000 kw generated in the Missouri Company's plants and 20,000 kw purchased from Union Electric. Union Electric now supplies approximately 40% of the load for the major part of the Missouri Company's system and approximately 34% of its total load, through three present connections, one at the northeast corner, one on the east side and one on the south side of the Missouri Company's system.

It appears that the Missouri Company, which in 1948 purchased approximately 42% of its total output, will be faced with problems in providing additional generating capacity beyond that presently under construction at Mexico to meet its growing load requirements. It is limited in choice of plant sites that would be favorable with respect to water supply, fuel supply and proximity to load. The most suitable sites with respect to water and fuel appear to be at the extreme boundaries of its territory distant from the load center, while location of further major generation at interior points in closer proximity to the load center appears dubious because of inadequate water supply and uncertainties in long range fuel supply. Moreover, its load is not sufficiently large to justify installation of the larger, more efficient generating units, suitable sizes being limited over the next few years to units ranging from 11,500 to 20,000 kw, as compared with 80,000 kw and larger units in the Union Electric system. It, therefore, appears that the Missouri Company, should it become an independent utility, will be obliged either to install its own generating equipment under unfavorable circumstances or to purchase the greater part of its power requirements from unrelated companies.

\*5 On the other hand, the advantages of further integration with the Union Electric system were clearly demonstrated. As shown by system maps introduced in evidence, the Union Electric system is adjacent to the Missouri Company's system in the east and southeast, and the high voltage transmission lines of Union Electric diverging from St. Louis and connecting with its two large hydroelectric plants, the Keokuk Plant on the Mississippi River near the northeastern part of the Missouri Company's territory and the Osage Plant on the Osage River in central Missouri, embrace the Missouri Company's system on two sides. It was testified that if Union Electric acquires the Missouri Company, the inter-connected hydro plants and steam power plant of the Union Electric system could be further advantageously tied in with the smaller plants of the Missouri Company as a unified power supply which would effectively serve the entire area of the two systems, with the possible exception of the far western areas of Excelsior Springs and Clinton. As an example, it was shown that a transmission line capable of transmitting 60,000 kw from the Union Electric system to the center of the Missouri Company's load area and a 33,000 kw substation could be built for approximately one-half the cost of a 20,000 kw generating unit, and that such a substation located closer to the load than a new generating plant would save further investment in subtransmission facilities. Upon further increase of the Missouri Company's load, another line of the same capacity could be built from another point on the Union Electric system at about the same cost, and two such circuits each having a capacity of 60,000 kw, tied into the Missouri Company's transmission network at the most logical delivery points would provide a superior arrangement in respect to reliability of service and simplicity of operation. It was further shown that the Missouri Company, as a subsidiary of Union Electric, would have available the reserve capacity of the Union Electric System with little, if any, increase in Union Electric's reserve capacity for such purpose and would also have the advantage of economy flow of power on numerous occasions when the cost of producing and transmitting power from Union Electric plants would be less than the cost of generation in Missouri Company plants, with the possibility of placing some of the Missouri Company's older high cost plants on a standby basis for long periods of time. Since the Union Electric system is so much larger, and has lower production cost plants, such economy flow would be substantially limited to flow from the Union Electric system to the Missouri Company's system. It was stated that if the Missouri Company became a subsidiary of Union Electric, the overall economies in making power available at points where it could be most effectively utilized in providing reserves for the

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combined systems and in economy flow of power could be more effectively achieved than if the Missouri Company as an independent company were simply a power customer of Union Electric.

**\*6** Further advantages of closer relationship between the systems were illustrated by assistance which could be given by Union Electric forces in restoring service after interruptions in major emergencies caused by storm or mechanical or electrical failures in power plants or substations, and by making available, for such assistance as the Missouri Company might desire, Union Electric's specialists in engineering, accounting, taxation, industrial applications of power and other fields, as well as by economies which might be derived in purchasing because of larger quantities to be obtained.

As was pointed out earlier, the equity capital requirements of the Missouri Company have been supplied by its parent company, North American Light & Power Company. As a subsidiary of Union Electric, the Missouri Company could continue to look to its parent company for additional equity capital, which would in all likelihood be less difficult and less expensive than raising equity capital from the public as an independent company.

In addition to the electric business, the Missouri Company also distributes natural gas, purchased from Panhandle Eastern Pipe Line Company, to 15,929 customers (as of December 31, 1948) in fifteen communities in Missouri, in all but two of which the company also provides electric service; furnishes hot water heating service to 170 customers in Kirksville and water service to 3,876 customers in Excelsior Springs and Mexico; and does a small amount of ice business in Kirksville and Mexico. The revenues from the gas department for the year 1948 were approximately \$1,238,500 or 18% of total operating revenues. However, its largest gas customer, the A. P. Green Fire Brick Company of Mexico, Missouri, effective May 14, 1949, discontinued its gas purchases from the company and now purchases its gas requirements direct from Panhandle Eastern Pipe Line Company. Based on 1948 operations, the loss of this customer will reduce the operating revenues of the gas department by approximately \$285,000. The operating revenues from the water, heating and ice departments amount to approximately 2.3%, 0.4% and 0.7%, respectively, of total operating revenues.

At the hearing, Union Electric advised the Commission that questions had been raised by the staff of the Securities and Exchange Commission as to the retainability of such additional businesses under the standards of the *Public Utility Holding Company Act* of 1935, if the Missouri Company should become a part of Union Electric's holding company system, and substantial testimony was introduced to show the economies of joint operation which would be lost if the gas business of the Missouri Company should be divorced. The evidence showed, among other things, that total increased costs of independent operation of the gas department would be approximately \$122,500, in addition to increased costs to the electric and other departments of approximately \$61,400. Such increased costs for the gas department amount to 9.9% of the 1948 gross operating revenues of the gas department and 48.7% of its net operating revenues. However, with revenues from the A. P. Green Fire Brick Company deducted, such increased costs attributable to independent operation of the gas department amount to 17.1% of gas operating revenues and 56.2% of the net operating revenues of the gas department.

### **OPINION**

**\*7** [] Upon full consideration of the evidence and from its familiarity with the operations of Union Electric and the Missouri Company over a long period of time, the Commission is of the opinion that the acquisition by Union Electric of the common stock of the Missouri Company is not detrimental to the public interest and should be approved. The two systems are now inter-connected, and the Commission believes that it has been demonstrated that the advantages and economies, both in the operating and in the financial aspects, of further integration can be more effectively achieved if the Missouri Company becomes a subsidiary of Union Electric rather than an independent utility. The acquisition of the common stock of the Missouri Company by North American upon the liquidation of North American Light & Power Company is but a step in North American's ultimate disposition of its interest in the Missouri Company.

[] The proposed issue by Union Electric of 600,000 shares of its common stock is for the purpose of acquiring property, viz., the 1,500,000 shares of common stock of the Missouri Company, and in our opinion, such property is reasonably required for the purpose of the economic and efficient development of an integrated public utility system and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

[] The Commission is also of the opinion that the 600,000 shares of common stock of Union Electric is a fair consideration

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for the acquisition of the common stock of the Missouri Company. It appears from the evidence that the net book value of the common stock of the Missouri Company at December 31, 1948 was approximately \$8,534,-000, consisting of \$7,500,000 capital and \$1,034,000 earned surplus. This when applied to the 600,000 shares of Union Electric common stock amounts to \$14.22 per share. If the plant acquisition adjustment account on the Missouri Company's books, amounting to approximately \$607,000 at December 31, 1948, is deducted, the resulting book value of \$7,927,000 is equivalent to \$13.21 per share on the 600,000 shares of Union Electric common stock. These per share figures compare with \$13.61 per share as the purchase price for the 367,500 shares of Union Electric common stock which North American has agreed to purchase for cash, and to \$14.29 per share on the common stock of Union Electric purchased by North American in March, 1948, adjusted for the recent three and one-half for one split-up. In addition, Union Electric, as a check on such values, showed a comparison of its common stock with listed common stocks of seven large electric companies, which it believed to be reasonably comparable, and by applying the average price-earnings ratio for such stocks, as of a recent date, to the 1948 per share earnings of Union Electric common stock, arrived at a comparable value of \$13.11 per share. Similar comparisons were made between the common stock of the Missouri Company and listed common stocks of utility companies more comparable in size with the Missouri Company. In a case such as this, where North American now owns all of the common stock of Union Electric and indirectly the common stock of Missouri, complete exactitude is not required, and we believe that the above comparisons indicate that Union Electric's determination of 600,000 as the number of shares of its common stock to be issued for the stock of the Missouri Company is reasonable.

\*8 [] Union Electric stated that, upon acquisition of the common stock of the Missouri Company, it proposed to record such stock in its investment account at the underlying net book value of such stock less the acquisition adjustment account on the books of the Missouri Company as of the month-end prior to the date of acquisition, and to record the issue of its own common stock by allocating not less than \$4,000,000 to stated capital and the balance of the consideration to capital surplus. It was explained that the average stated value per share of the presently outstanding common stock of Union Electric is \$6.64, which when multiplied by 600,000 shares produces an amount slightly less than \$4,000,000; that the actual amount of the consideration could not be determined until close to the date of transfer, and that the setting up of a round figure in the capital account would be more satisfactory for balance sheet purposes and would permit any adjustments required at the date of transfer to be handled through capital surplus. Such treatment appears to be permitted by the *General and Business Corporation Act* of Missouri, and we believe that it is reasonable and does not conflict with our Uniform System of Accounts. However, we are of the opinion that the amount which should be allocated to capital account should not be less than the average per share stated capital of the outstanding common stock applied to the 600,000 shares proposed to be issued.

[] We have noted that there may be some question as to the retainability of the gas properties and business of the Missouri Company upon its becoming a part of the holding company system of Union Electric, and we recognize the exclusive jurisdiction of the Securities and Exchange Commission on that subject under the *Public Utility Holding Company Act* of 1935. The Commission is of the opinion that the acquisition of the Missouri Company by Union Electric is not detrimental to the public interest even though the operations of the Missouri Company might ultimately be limited to an electrical corporation. However, without attempting to encroach upon the jurisdiction of the Securities and Exchange Commission in determining this matter, we feel constrained to point out that there are certain apparent economies shown in the record as a result of the dual operation.

Of the fifteen communities served, only four exceed 5,000 in population and the greatest number of gas customers in any one city as of the end of 1948 was 5,451 in Jefferson City. Nine of the communities served have a population of less than 2,000 with the number of gas customers in such communities ranging from 27 to 592. To serve these communities, the Missouri Company maintains five operating districts, covering both electric and gas operations, with district headquarters and staffs at Boonville, Excelsior Springs, Jefferson City, Moberly and Mexico, with due consideration to geographic location and distance between towns. Most of the employees and office, transportation and storage facilities are used jointly with resulting economies to both departments. The evidence showed that the estimated additional expenses of independent operation of the gas business would amount to 48.7% of the net gas operating revenues for 1948 and to 56.2% of net gas operating revenues upon the loss of the substantial gas purchases by the A. P. Green Fire Brick Company. While these computations appear to be before taking into account tax deductions arising from such increased expenses, they indicate that the economies are substantial.

\*9 Entertaining these views, it id, therefore,

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*Ordered: 1.* That The North American Company be and it is hereby authorized to acquire, take and hold 1,500,000 shares of the common stock, of the par value of \$5 per share, of Missouri Power & Light Company in connection with the dissolution and liquidation of North American Light & Power Company.

*Ordered: 2.* That Union Electric Company of Missouri be and it hereby is authorized to acquire, take and hold said 1,500,000 shares of *common* stock of Missouri Power & Light Company and to issue and deliver to The North American Company as consideration therefor 600,000 additional shares of common stock, without par value, of Union Electric Company of Missouri, and The North American Company be and it is hereby authorized to acquire, take and hold said 600,000 shares of common stock of Union Electric Company of Missouri issued for such purpose.

*Ordered: 3.* That nothing in this order shall be considered as a finding by the Commission of the value for rate making purposes of the properties herein involved, nor as an acquiescence in the value placed upon said properties by the parties.

*Ordered: 4.* That the authority granted herein shall be exercised within six months from the date of this Order.

*Ordered: 5.* That within thirty days of the exercising of the authority granted herein, the parties shall file with the Commission verified statements showing the particulars thereof.

*Ordered: 6.* That this order shall take effect on this date and that the Secretary of the Commission shall forthwith serve on all parties interested herein a certified copy of this order.

OSBURN, Chr.; WILLIAMS, HENSON, RANDOLPH and MCCLINTOCK, CC., Concur.

Footnotes

\*During a year of normal river flow.



BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURICASE NO. EM-83-248

In the matter of the joint application of the utility companies comprising the Union Electric System for permission and authority (i) to merge Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company with and into Union Electric Company and (ii) to carry out the transactions contemplated by the mergers.

**APPEARANCES:** William E. Jaudes, Attorney at Law, and Jean Bante Moore, Attorney at Law, P. O. Box 149, St. Louis, Missouri 63166, for Union Electric Company, Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company.

Michael Madsen, Attorney at Law, 211 East Capitol Avenue, P. O. Box 235, Jefferson City, Missouri 65102, for Dundee Cement Company.

Fred Boeckmann, Attorney at Law, 401 Independence, P. O. Box 617, Cape Girardeau, Missouri 63701, for the City of Cape Girardeau.

Robert M. Wohler, Attorney at Law, 114 East Elm, O'Fallon, Missouri 63366, for the City of O'Fallon, City of Wentzville, City of Troy, Village of New Melle and Village of Flint Hill.

Rollin J. Moerschel, Attorney at Law, 200 North Third Street, St. Charles, Missouri 63301, for the City of St. Peters and Village of St. Paul.

Robert W. Ewing, Attorney at Law, Boone County Courthouse, Columbia, Missouri 65201, for the County of Boone.

Robert C. Johnson, Attorney at Law, John Rasp, Attorney at Law, and Mark S. Packer, Attorney at Law, 720 Olive Street, Suite 2400, St. Louis, Missouri, for ACF Industries, Incorporated, Anheuser-Busch, Inc., Ford Motor Company, General Motors Corporation, GM Assembly Division, Mallinckrodt, Inc., McDonnell Douglas Corporation, Monsanto Company, Nooter Corporation, PPG Industries, Inc., Pea Ridge Iron Ore Co., and St. Joe Minerals Corporation.

Thomas O. Pickett, Attorney at Law, and Christopher P. Raynes, Attorney at Law, 924 Main Street, P. O. Box 70, Trenton, Missouri 64683, for Green Hills Regional Planning Commission, City of Brookfield, City of Bucklin, City of Hamilton, City of Kidder and City of Kingston.

William Clark Kelly, Assistant Attorney General, Supreme Court Building, P. O. Box 899, Jefferson City, Missouri 65102, for the State of Missouri.

Howard M. Hickman, Attorney at Law, Box 82, Kirksville, Missouri 63501, for the City of Kirksville.

William M. Barvick, Attorney at Law, 124 East High Street, Jefferson City, Missouri 65101, for the City of Jefferson, City of Bevier, City of Bland, City of Belle, City of Boonville, City of Edina, City of Eldon, City of Elsberry, City of Excelsior Springs, City of Kearney, City of Louisiana, City of Lawson, City of Mexico, City of New London, City of Wood Heights, City of Atlanta and City of Kirksville.

Richard W. French, Assistant Public Counsel, and Darnell W. Pettengill Assistant Public Counsel, P. O. Box 7800, Jefferson City, Missouri 65102, for the Office of the Public Counsel and the Public.

Mary Ann Garr, Assistant General Counsel, P. O. Box 360, Jefferson City, Missouri 65102, for the Staff of the Missouri Public Service Commission.

#### REPORT AND ORDER

On January 31, 1983, Union Electric Company (UE), Missouri Utilities Company (MU), Missouri Power & Light Company (MPL) and Missouri Edison Company (ME), (Applicants) filed a joint application to merge MU, MPL and ME into UE and to carry out the transactions contemplated by the mergers. Applicants filed a Motion for Setting Hearing on May 12, 1983. The Staff's Response to Motion for Setting Hearing was filed on June 7, 1983. On June 20, 1983, the Commission issued its Order Scheduling Proceedings.

By order dated July 25, 1983, the Commission granted the applications to intervene filed by Dundee Cement Company and the City of Cape Girardeau. On July 29, 1983, the Commission issued an order scheduling local hearings, directing notice to customers and rescheduling the prehearing conference. The Commission issued an order on August 12, 1983, directing the parties to file supplemental direct testimony on certain issues. On August 19, 1983, the Commission issued its Order Granting Interventions of the Villages of Flint Hill and St. Paul, the Cities of Wentzville,

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St. Peters, Kearney, O'Fallon, Jefferson, Old Monroe, Louisiana, Moberly, Eldon, Elsberry, Mexico, Boonville, Shelbyville, Bevier, Bland, Belle, Brookfield, Hamilton, Bucklin, Kidder, Kingston, New London, Canton, Versailles, Stover, Wellsville, Atlanta, Lawson, Wood Heights, Kirksville, Hurdland, Green, Edina, Excelsior Springs, New Haven and LaGrange, the Green Hills Regional Planning Commission, Missouri Municipal League, the State of Missouri and the following Industrial Intervenors: ACF Industries, Incorporated, Anheuser-Busch, Inc., Ford Motor Company, General Motors Corporation, Mallinckrodt, Inc., McDonnell Douglas Corporation, Monsanto Company, Nooter Corporation, PPG Industries, Inc., Pea Ridge Iron Ore Co. and St. Joe Minerals Corporation. On August 26, 1983, the Commission granted the amended application to intervene filed on behalf of the City of Louisiana and also granted the withdrawal of the application to intervene filed on behalf of the City of Canton. The Commission, in its order dated September 1, 1983, granted both the application to intervene filed on behalf of the City of Troy and the amended application to intervene filed on behalf of the City of Kirksville. On September 8, 1983, the Commission issued an Order Rescheduling the Evidentiary Hearing and granting the City of Atlanta's amended application to intervene. The Commission granted the Motion to Intervene filed on behalf of the Village of New Melle on September 14, 1983. The prehearing conference scheduled in this case for September 27-29, 1983, was held and a Hearing Memorandum was filed. Public hearings were held on September 19, 1983, in Cape Girardeau, on September 20, 1983, in Moberly, on September 30, 1983, in St. Louis, and also on September 30, 1983, in Clayton, and on October 11, 1983, in Jefferson City. The Commission issued its Order Setting Additional Hearing Dates and Granting Motion to Withdraw Application to Intervene filed by the Roman Catholic Church on October 20, 1983.

On October 31, 1983, the Joint Applicants filed their Motion to Strike Testimony. Intervenors O'Fallon, Wentzville, Troy, New Melle and Flint Hill filed a Motion for Report on Issue of Elimination of Competition from Alternate Bulk Power

Sources on November 7, 1983. Suggestions in Opposition to Applicants' Motion to Strike Testimony submitted by Intervenors Bucklin, Hamilton, Kingston and Kidder, Missouri were filed on November 9, 1983. The Joint Applicants filed their Objection to Motion for Report on Issue of Elimination of Competition from Alternate Bulk Power Sources on November 9, 1983. The Cities of O'Fallon and Wentzville filed their Memorandum in Opposition of Motion to Strike Testimony on November 9, 1983. The Staff of the Missouri Public Service Commission (Staff) filed its Response to Motion for Report on November 10, 1983. On November 23, 1983, the Commission issued an Order Denying Motion for Additional Report.

A hearing was held on October 31, 1983, November 1, 1983, November 3, 1983, November 9, 1983, and November 10, 1983. Parties did not waive the reading of the transcript pursuant to Section 536.080, RSMo 1978. Initial and reply briefs were filed by most of the parties. The city of St. Peters and the village of St. Paul filed a Notice to Join in Brief of the City of Jefferson et al. on November 17, 1983. On November 28, 1983, the Staff and the Applicants filed a Stipulation and Agreement on the issues relating to irrigation rates, municipal street lighting rates and Whiteman Air Force Base.

#### Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

UE is a Missouri corporation, authorized to do business in Illinois and Iowa. The principal business of UE is to provide electric energy to customers in Missouri, Illinois and Iowa. The territory UE serves in Missouri includes the City of St. Louis and St. Louis County and portions of five adjacent counties: St. Charles, Franklin, Jefferson, St. Francois and Ste. Genevieve, and portions of Miller, Morgan and Camden counties in central Missouri. UE also serves three areas in Illinois, including the cities of East St. Louis and Alton, and an area in Iowa

near the Keokuk hydroelectric plant, including the cities of Keokuk and Fort Madison. In addition to the retail electric business, UE also serves fifteen wholesale electric customers, twelve of which are located in Missouri and three in Iowa.

As of December 31, 1982, the population of UE's service area was estimated to be 2,079,324, of which 1,800,162 are in Missouri. UE's electric customers numbered approximately 801,250 as of December 31, 1982, of which 714,564 were in Missouri. As of December 31, 1982, UE distributed natural gas to approximately 17,200 customers in Alton, Illinois, and vicinity, and provided steam heating service in downtown St. Louis to approximately 286 customers.

UE has three utility subsidiaries--MU, MPL and ME. These companies operate only in Missouri. UE also owns all the stock of Union Colliery Company which owns coal reserves in Illinois. In addition, UE owns 40 percent of the common stock of Electric Energy, Inc., which owns and operates a 1,100,250 kilowatt steam generating plant at Joppa, Illinois, which supplies power to the Paducah Project of the Department of Energy.

UE owns six steam electric plants, two hydroelectric generating plants, one pumped-storage hydro plant, six combustion turbines, which have an estimated aggregate net capability of 6,500,000 kilowatts, of which 5,600,000 kilowatts are steam generating capacity. As of December 31, 1982, UE owned approximately 3,334 circuit miles of electric transmission lines, 14,030 pole miles of overhead distribution lines, 6,783 miles of underground cable, and 331 substations with a transformer capacity of approximately 32,083,000 kVA. UE also owns a propane-air gas plant in Alton, Illinois, with a daily natural gas equivalent capacity of 12,000 Mcf and 259 miles of gas mains in the City of Alton, Illinois, and vicinity. Other properties of UE include a steam distribution system in downtown St. Louis and office buildings, warehouses, garages and repair shops at various locations throughout the territory served.

The UE System is composed of MU, MPL, ME and UE. UE owns all of the issued and outstanding shares of common stock of MU (956,345 shares). The issued and outstanding shares of preferred stock of MU are owned by third parties. UE owns all the issued and outstanding shares of common stock of MPL (3,000,000 shares). The issued and outstanding shares of preferred stock of MPL are owned by third parties. UE owns all the issued and outstanding shares of common stock of ME (444,445 shares). There are no outstanding shares of preferred stock of ME. MU, MPL and ME currently purchase almost all of their electric requirements from UE under wholesale rates regulated by the Federal Energy Regulatory Commission (FERC).

Witness Smith, Executive Vice President and Director of Union Electric Company, testified that UE's stockholder approval of the merger has been obtained.

MPL is a Missouri corporation with its executive office at 101 Madison Street, Jefferson City, Missouri 65101. MPL is engaged in providing electric service to approximately 94,000 customers residing in the Missouri counties of Adair, Audrain, Boone, Caldwell, Callaway, Chariton, Clark, Clay, Clinton, Cole, Cooper, Daviess, DeKalb, Franklin, Gasconade, Gentry, Howard, Knox, Lewis, Livingston, Macon, Maries, Miller, Moniteau, Monroe, Montgomery, Osage, Pike, Ralls, Randolph, Ray, Schuyler, Scotland, Shelby, Sullivan and Warren under the jurisdiction of this Commission. MPL also distributes natural gas in 38 communities to approximately 35,000 customers in central and northeast portions of Missouri and steam service to the state government in Jefferson City, Missouri, under the jurisdiction of this Commission.

MPL owns two combustion turbines and 11 internal combustion engine units which have an estimated aggregate net capability of 76,000 kilowatts. MPL's generating capacity is used primarily for peak power requirements. During 1982 MPL purchased approximately 89 percent of its electric energy from UE and 10 percent from Kansas City Power & Light. As of December 31, 1981, MPL owned approximately 1,715 circuit miles of electric transmission lines, 260 substations with a

transformer capacity of approximately 2,413,000 kVA, and related distribution systems, a propane-air gas plant at Jefferson City, Missouri, with a daily natural gas equivalent capacity of 7,500 Mof and 708 miles of gas mains. Other properties of MPL include a steam distribution system, office buildings, warehouses, garages and repair shops.

ME is a Missouri corporation with its executive office at 202 South Third Street, Louisiana, Missouri 63353. ME is engaged in the business of providing electric service to approximately 32,300 customers residing in the Missouri counties of Lincoln, Montgomery, Pike, St. Charles and Warren under the jurisdiction of this Commission. ME also distributes natural gas in northeastern Missouri to approximately 6,200 customers in 20 communities under the jurisdiction of this Commission. As of December 31, 1982, ME owned approximately 358 circuit miles of electric transmission lines, 78 substations with a transformer capacity of approximately 759,000 kVA and related distribution systems and 299 miles of gas mains. During 1982, ME purchased 100 percent of its electric energy requirements from UE. Properties of ME include office buildings, warehouses, garages and repair shops.

Witness David C. Harrison, president and director of Missouri Power & Light Company and Missouri Edison Company, testified that the proposed merger is in the public interest since it will reduce the cost of operation. Mr. Harrison also testified that MPL's stockholder approval of the merger has been obtained and that the board of directors of ME and UE have approved the merger as of December, 1982.

MU is a Missouri corporation with its executive office at 400 Broadway, Cape Girardeau, Missouri 63701. MU is engaged in the business of furnishing electric service to approximately 60,000 customers residing in the Missouri counties of Butler, Cape Girardeau, Cooper, Dunklin, Miller, Mississippi, Moniteau, Morgan, New Madrid, Pettis, Saline, Scott and Stoddard as a public utility under the jurisdiction of this Commission. MU also distributes natural gas to approximately

49,000 customers in 32 communities in central and southeastern Missouri and water service to approximately 11,000 customers in the City of Cape Girardeau, Missouri, as a public utility under the jurisdiction of this Commission. MU owns one combustion turbine and two internal combustion engine units which have an estimated aggregate capability of 27,000 kilowatts. During 1982, MU purchased approximately 98 percent of its electric energy requirements from UE and two percent from Arkansas Power & Light. As of December 31, 1982, MU owned approximately 601 circuit lines of electric transmission lines, 98 substations with a transformer capacity of approximately 1,223,000 kVA, and related distribution systems, three propane-air gas plants in Cape Girardeau and Columbia, Missouri, with a daily natural gas equivalent capacity of 10,440 Mcf, 1,036 miles of gas mains, two pumping, purification and water treatment plants and 185 miles of water mains. Other properties of MU include office buildings, warehouses, and garages at various locations throughout the territory served.

Witness Lengefeld testified as president and chief executive officer and director of MU that the proposed merger is in the public interest since the merger of MU with and into UE will reduce the cost of operation. Lengefeld also testified that the necessary MU stockholder approval of the merger was obtained.

Applicants have requested authority from this Commission to merge MU, MPL and ME with and into UE, to apply the existing subsidiary rates for gas, water and steam service, to apply the existing UE electric rates and rules and regulations throughout the subsidiaries' service areas, to issue up to 86,620 shares of preferred stock and to transfer all certificates of convenience and necessity, franchises, works or systems, licenses, leases and permits, mortgages, bonds and other evidences of indebtedness and other rights and obligations from MU, MPL and ME to UE as a part of this merger.

Generally, application of UE's tariffs to the subsidiaries' electric customers would result in a decrease in rates; however, it would result in an increase in rates to certain classes of customers including municipalities.



The Staff of the Public Service Commission (Staff) and the Office of Public Counsel (Public Counsel) recommend approval of the merger because of the increased efficiency and resulting cost savings to be flowed through to customers. The Cities of Jefferson, Atlanta, Bevier, Belle, Bland, Boonville, Cape Girardeau, Edina, Eldon, Elsberry, Excelsior Springs, Kearney, Louisiana, Lawson, Mexico, Moberly, New London, Versailles, Wood Heights and Kirksville (Jefferson City et al.) are principally concerned over rates for cities and are not interested in delaying or obstructing any savings related to reductions in rates of other customers. The Green Hills Regional Planning Commission, the Cities of Brookfield, Bucklin, Hamilton, Kidder and Kingston, Missouri (Green Hills et al.) request the Commission to deny the merger because of the increase in rates to the cities. The City of Kirksville feels that Applicants fail to show that the merger would not lessen competition among suppliers which would provide power since there will be three less potential purchasers on the wholesale market. Kirksville further states that MPL has purchased ten percent of its power from a source other than UE for several years, contracts between UE and MPL are not perpetual and the contracts likely violate federal antitrust laws and Sections 3 and 7 of the Clayton Act. Therefore, the city of Kirksville recommends that the merger not be allowed. The cities of O'Fallon, Troy, Wentzville and the villages of Flint Hill and New Melle (O'Fallon et al.) recommend that the merger should not be approved because of the probability of lessening competition. The city of St. Peters joined in the brief of Jefferson City et al. However, in the Hearing Memorandum, the city of St. Peters recommends that the merger not be approved because of the substantial increase in rates and the lack of cost of service data. Cape Girardeau, which did not file a brief, states in the Hearing Memorandum that it opposes the merger. The Industrial Intervenor: Monsanto Company, ACF Industries, Inc., Anheuser-Busch, Inc., Ford Motor Company, General Motors Corporation, Mallinckrodt, Inc., McDonnell Douglas Corporation, Nooter Corporation, PPG Industries, Inc., Pea Ridge Iron Ore Co. and St. Joe Minerals Corporation

(Monsanto et al.) recommend that the merger should be approved. Dundee Cement Company (Dundee) does not oppose the merger per se if appropriate steps are taken to assure that it does not cause customers of UE's subsidiaries to face discriminatory rates. The State of Missouri representing Southeast Missouri State University (SEMO) neither supports nor opposes the proposed merger but is concerned with the impact of the possible rate increase.

The Commission finds that the proposed merger will permit consolidation into one corporate entity the accounting, data processing, engineering, financial, legal, operations, planning, purchasing, rates and other services which are presently carried on separately by each corporation. The Commission further finds that this will result in certain economies by eliminating duplication of efforts, will contribute to management efficiency and will result in a net annual savings of \$9.7 million.

Shares of preferred stock of MU and MPL will be acquired by UE which will convert them into shares of its preferred stock. All of the issued and outstanding shares of common stock of MU, MPL and ME, of which UE is the sole owner, will be cancelled after the effective date of the merger and no stock of UE will be issued in exchange therefor. Since UE owns all the outstanding common equity of the subsidiaries, there is no purchase price for the equity interest. However, there will be 60,000 shares of MPL preferred stock and 26,620 shares of MU preferred stock outstanding. UE is proposing to trade, on a one-for-one basis, shares of UE preferred stock for MPL and MU shares with an approximate ten percent increase in the annual dividend to be paid to MPL and MU preferred shareholders. This amounts to approximately \$39,000 per year in increased dividends at the time of the merger. Applicants' witness testified that this increase is necessary to encourage shareholders to vote for the merger and exchange their existing shares.

All debt obligations of UE, MU, MPL and ME included in their first mortgage bonds will remain outstanding after the merger and will remain obligations of UE as

the surviving corporation under the Plans of Merger, and in the case of bonds, will continue to be secured by first mortgage liens on the respective properties of UE, MU, MPL and ME, which will be held by UE on the effective date of the merger.

Neither the rights of creditors of UE, MU, MPL and ME nor any liens upon their properties will be impaired by the merger. The outstanding indebtedness owed by each subsidiary to UE will be cancelled upon the effective date of the merger.

Upon the effectiveness of the merger, MU, MPL and ME will cease to exist and will become part of UE, the surviving corporation. UE will acquire all the certificates of convenience and necessity, franchises, works or systems, licenses, leases and permits of MU, MPL and ME. UE will directly provide electric, gas, water and steam service to subsidiary customers as of the effective date of the merger. The Applicants propose to provide electric service under UE's tariffs as of the effective date of the merger and other services under the subsidiaries' tariffs.

The Commission is of the opinion that the merger will not result in any additional financial risk to the surviving entity and that the financing flexibility may be improved as a result of the combination of the companies' earnings in determining the ability to issue debt and preferred stock.

The Commission finds that UE will continue to provide electric, gas and water service pursuant to 4 CSR 240-10.030, the Standards of Quality Rule, after the merger. The Commission further finds that the present customer contact structure for handling customer complaints will remain in effect after the merger.

The Commission is of the opinion that UE's plant investment represents 89 percent of all electric utility property on a merged basis, that the subsidiary companies have not reviewed their depreciation rates in recent years, and that UE's tariff rates will be applied to most of the electric service customers. The Commission finds that for the natural gas properties, the present tariffs of each of the subsidiaries are to be maintained; therefore, separate depreciation expense, plant and reserve should be maintained by each individual company. The Commission

concludes that the depreciation rates to encompass all electric companies after the merger should be UE's present depreciation rates and that the depreciation rates presently prescribed by each subsidiary company for gas properties should be maintained after the merger.

The cost savings to the merged company will result from the elimination of approximately 304 subsidiary jobs which will be partially offset by the need to add approximately 54 jobs in St. Louis. Other savings include a reduction from allocation of distributable property on a systemwide basis, a reduction in insurance premiums, a reduction in computer rental, and elimination of expenses associated with maintaining three corporate headquarters office buildings. The costs of integrating the subsidiary operations include modification of present customer records, cash processing, reporting procedures, numerous computer programs and implementation of common construction standards. Other costs include severance pay to employees whose jobs are eliminated and shareholder approval costs.

Savings to UE for salaries of employees who have left minus those who have been added in St. Louis for 1983 are \$2,000,000. UE stated that the cost savings enjoyed by UE should be flowed through to the ratepayers of the subsidiaries if the merger is approved, however, not the \$2,000,000 since rate case activity has been curtailed and offsetting costs will be incurred the next year.

The subsidiary companies buy their power with certain exceptions from UE. These contracts to buy power from other sources have been cancelled and UE will provide all power needs in the future. The subsidiaries and UE are bound by contracts to buy, except for the subsidiaries own generation, and to provide all the requirements. Also, since UE owns all the common stock of all the subsidiaries, it controls the operations of these subsidiaries through the selection of the subsidiaries' boards of directors to whom the officers of the subsidiaries report. MPL had purchased electricity from Kansas City Power & Light Company for its Excelsior Springs district. For the twelve-month period ending August 31, 1983, the

average purchase price under that contract was 4.474 cents per kilowatthour. For the same period, the purchases from UE averaged 2.876 cents per kilowatthour. MU had a contract with Arkansas Power & Light under which they purchased electricity for the Senath district at an average rate of 5.7 cents per kilowatthour in 1982. The UE rates for the southeast district averaged 2.6 cents per kilowatthour in 1982.

Dr. Kuhlman, the witness for the Cities of O'Fallon et al., testified that the wholesale market for electric power has the potential for a substantial degree of competition which could replace regulation. He also stated that there would be a change in the relationship between the subsidiaries and UE if the merger was approved, since presently the subsidiaries have some independence to shop for power and after the merger that flexibility would disappear and result in less competition. Staff pointed out that there was no evidence to show that competitively priced bulk power in the quantities that would be required by the subsidiaries is now or will in the future be available. UE believes that competition cannot replace regulation in the wholesale market for electric power, and that because of the nature of the bulk power market, the subsidiaries would need long-term commitments for power and would not be in a position to shop for power in the other bulk power markets. Further, UE states that it has designed and built its generation and transmission system on the basis of what is best for the entire system. Public Counsel argues that if the cost claimed by UE to provide electricity to its customers were higher than necessity due to low cost alternate suppliers, the Commission has authority to disallow those costs in the setting of just and reasonable rates. Public Counsel pointed out that since 1959 UE and its subsidiaries have had its power centrally dispatched by UE dispatchers so the power is supplied on a systemwide basis.

The Commission finds that with the merger a degree of flexibility will be lost which might have allowed the subsidiary companies in the future to purchase power on the bulk power market if power was available and if it was cheaper than buying from UE. However, the Commission is of the opinion that it is sheer

speculation as to whether competition as proposed by Intervenor would ever exist, and further this mere possibility does not offset the clear benefits of the merger proposal at this time. Also, the Commission points out that other governmental agencies have jurisdiction over the issue of a potential lessening of competition in the bulk power market. Therefore, the Commission finds that a potential lessening of competition in the bulk power market does not constitute a detriment to the public in this case.

Having considered all of the evidence in the record, the Commission finds that no detriment to the public has been shown to exist if this application to merge MU, MPL and ME with and into UE is granted.

The Commission must also consider the rates to be applied. Applicants request that UE's rates be applied to the subsidiaries' electric customers and all other customers would be served under their present rates. Staff agrees with UE's proposal to apply UE's rates to subsidiary electric customers except for municipal service rates, street lighting rates, traffic signal rates and cotton ginning rates. Public Counsel agrees with Staff's proposal and emphasized no surcharge should be levied. Jefferson City et al. recommend that the rates for municipalities be frozen until the next rate case and a surcharge be applied to all other customers to make up for the loss in revenue. Green Hills et al. recommend that the merger not be considered until the next rate filing or that municipal rates be frozen and other electric customers be placed on UE's tariffs with the surcharge or to leave all subsidiary customers on the subsidiary rates and permit the merger and apply a negative surcharge to all customers except municipals. Kirksville requests that the application of UE's rates be deferred for those customers who will receive a rate increase until the next rate case. Kirksville further rejects Staff's proposal because of the size of the impact of the rate increase to the municipals. The City of O'Fallon et al. recommend that the Applicants' shareholders absorb the cost of honoring the franchise contracts of the cities. The City of St. Peters joined in the

brief of Jefferson City et-al. However, in the Hearing Memorandum, the city of St. Peters agreed with Staff's proposal with certain limitations. Cape Girardeau, which did not file a brief, states in the Hearing Memorandum that if the merger is approved, it would favor freezing municipal lighting and pumping tariffs at existing rates. The State of Missouri representing SEMO request that either the current rate be frozen without any power transfer to UE or that the cost of power be phased in over two years with a monthly increase. The Industrial Intervenors, Monsanto et al., and Dundee agree with UE that its rates should be applied to all electric customers of the subsidiaries. Dundee argues that there should be no surcharge to make up for the loss of municipal revenues since that is discriminatory.

The Commission finds that the level of revenue generated by the application of UE rates to the subsidiary electric customers as proposed by UE results in a net revenue effect for the UE System of a negative \$740,000 taking into consideration annual savings and one-time savings. This revenue figure does not include the \$2,000,000 in savings to the Company in 1983.

UE's proposal to flow through savings to the electric subsidiary customers is based upon the reduction in administrative and general expenses in the subsidiary companies' service areas. Based upon these facts, the Commission finds that flowing through savings to the electric subsidiary companies' customers in the form of a rate reduction is reasonable.

Rates generally should be based on specific cost-of-service studies. Therefore, there should be great hesitancy in approving substantial increases in rates for any customer class in the absence of a cost-of-service study. The Commission finds that the proposed increases as evidenced by Exhibit 13, Schedule NP, page 2-4, for municipal service rates, municipal fixed rates, municipal street lighting rates, municipal lighting rates, municipal pumping rates, traffic signals rates, private lighting rates, outdoor lighting rates, athletic field lights rates, cotton ginning and irrigation rates, irrigation rates, Whiteman Air Force Base and

SEMO's rates are substantial and in the absence of a cost-of-service study supporting those cost increases, the Commission finds that the proposed application of UE's rates to these customers would be unreasonable.

Except for certain classes and two customers referred to herein, the Commission finds that the cost differences between UE and its subsidiaries and the subsidiaries themselves are relatively insignificant, that UE's current rates adequately track those costs since UE's filed tariffs have been approved by this Commission as an outcome of two rate design cases, EO-78-163 and ER-83-163. The Commission notes that none of the subsidiary companies have had the level and structure of their rates examined in a class cost-of-service study. Having considered the subsidiary companies' revenue requirements, the class revenue requirements and rate structure changes, the Commission finds that the application of UE's rates to the subsidiaries' electric customers, with the following exceptions, is reasonable: Municipal fixed rates, municipal service rates, municipal pumping rates, municipal lighting rates, municipal street lighting rates, traffic signals rates, cotton ginning and irrigation rates, irrigation rates, private lighting rates, outdoor lighting rates, athletic field lights rates and the rates applied to Southeast Missouri State University and Whiteman Air Force Base.

The Commission finds that the municipal fixed rates and municipal fixed street lighting rates should be increased to the municipal service rates and the municipal street lighting rates in effect for each subsidiary company. The Commission, in Case Nos. ER-82-180 and ER-82-198 found that these contracts were below cost and discriminatory. The Commission ordered that service under the fixed rate contracts for municipal services and street lighting should be eliminated in two phases. Six months after the effective date of the new rates established by those orders, the company was to bill all municipalities with fixed rate contracts remaining in effect by an additional amount which is one-half of the net difference between the company's filed municipal tariff schedules and the rates provided for in



the individual contracts. The first phase has been implemented. The Commission further ordered that with the effective date of the tariffs filed pursuant to the Commission's order in the company's next general rate proceeding, all service to the affected cities should be rendered at the rate prescribed in the company's tariff schedules.

The Commission finds that there will be no future rate cases for the subsidiary companies, and the companies would have filed such cases but for the merger. The Commission has not found any changed circumstances which would cause it to change its decisions in Case No. ER-82-180 and ER-82-198. Based upon these facts, the Commission believes that the final phase-in of municipal fixed contract rates proposed in orders in ER-82-180 and ER-82-198 should be implemented.

By not increasing the municipal tariff rates, the Commission is allowing all municipalities approximately one year to anticipate the possibility of a substantial increase in rates in the future. This increase may result from an application of UE tariffs to the subsidiaries' electric municipal customers and the possible large increase in UE's rates when Callaway One comes on line. UE is planning on filing its next rate case in February, 1984.

The Commission finds that the present subsidiary rates for municipal pumping rates, traffic signals rates, private lighting rates, outdoor lighting rates, athletic field lights rates, cotton ginning and irrigation rates, irrigation rates, Whiteman Air Force Base and SEMO rates should be maintained until the effective date of the Report and Order in the next rate case.

The Commission does not approve the Stipulation and Agreement entered into by the Staff and Company regarding irrigation rates, municipal street lighting rates and the Whiteman Air Force Base rates.

The Commission finds that the Company should notify the Commission immediately if any average user in any class will receive more than an approximate 25 percent rate increase, other than the municipalities previously receiving service

under the fixed municipal service and fixed municipal lighting rates. If there are such users, then the Commission may act to ameliorate the impact of the rate increase upon them at that time.

The Commission further finds that UE is to provide cost-of-service studies relating to municipal service, municipal and private lighting, irrigation, cotton gin and traffic signal rates in its next rate case. The Commission expects UE to make other appropriate cost studies in its next rate case. Any party who wants the Commission to order a cost-of-service study for a particular class of UE customer should file a request with the Commission and show good cause for such a request at the earliest possible time.

The Commission authorizes UE to provide gas, water and steam service under the subsidiaries' present rates to the subsidiary customers.

The Commission determines that UE should file tariff provisions reflecting the refund provisions contained in the Applicants' tariffs as agreed to by the Staff and the Applicants in the Hearing Memorandum.

The Commission finds that UE should be authorized to apply the existing UE rules and regulations throughout the subsidiaries' service areas. However, upon UE's first assessment of a late payment charge on a given customer of MPL or ME during 1984, the customer should be notified of the assessment but should not be charged.

#### Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

This case is before the Commission pursuant to Section 393.190, RSMo 1978, which provides that a utility may not merge without having first secured from the Commission an order authorizing the company to do so. This Commission has held in many cases that the sole issue to be decided by it is whether the proposed transactions are detrimental to the public interest. Re: Laolde Gas Company, 92 PUR3d 426, 430 (Mo. PSC 1971); Re: Southeast Missouri Telephone Company and

Southwestern Bell Telephone Company, 3 Mo. PSC (N.S.) 19; Re: Doniphan Telephone Company, 10 Mo. PSC (N.S.) 147; Re: Capital City Telephone Company and United Utilities, Inc., 13 Mo. PSC (N.S.) 519, and Re: Kansas Power & Light Company, Report and Order, p. 6 (September 12, 1983). It is not required that the applicants prove that the public will be benefited in transactions such as mergers. A shareholder should be allowed to sell or otherwise dispose of or deal with his property unless it would be detrimental to the public. State ex rel. City of St. Louis v. Public Service Commission of Missouri, 73 SW2d 393 (Mo. en banc 1934).

The evidence shows that the proposed merger of MPL, MU, ME in and with UE will not be detrimental to the public interest.

Pursuant to Section 393.180, RSMo 1978, the Commission authorizes UE to issue up to 86,620 shares of preferred stock and cancel the existing preferred stock of the subsidiaries.

The Commission, after notice of hearing, may order a change in the rate, charge or rental in any regulation or practice affecting the rate, charge or rental and it may determine and prescribe the lawful rate, charge or rental and the lawful regulation or practice affecting said rate, charge or rental thereafter to be observed.

Objections to Exhibits 17, <sup>1</sup>18, <sup>W</sup>19, <sup>T</sup>20, 21, 24, 30, 48, 52, 62, 63, 64 and 65 are overruled and those exhibits are received into evidence.

Any motion not previously ruled on should be considered denied, and any objection not previously ruled on should be considered overruled.

It is, therefore,

ORDERED: 1. That Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company are authorized to merge with and into Union Electric Company.

ORDERED: 2. That Union Electric Company is authorized to apply the existing subsidiary rates for gas, water and steam service.

ORDERED: 3. That Union Electric is authorized to apply the existing Union Electric rates throughout the subsidiaries' service areas with the following exceptions: Municipal service, municipal street lighting, municipal fixed, municipal lighting, municipal pumping, private lighting, outdoor lighting, athletic field lights, traffic signals, cotton ginning and irrigation, irrigation, Southeast Missouri State University and Whiteman Air Force Base.

ORDERED: 4. That Union Electric Company is authorized to apply each subsidiary electric municipal service, municipal street lighting and municipal lighting rate now in effect to the municipalities in the current subsidiary company's territory.

ORDERED: 5. That Union Electric Company is authorized to apply each subsidiary company's rate now in effect for its electric customers in the current subsidiary company's territory served on municipal pumping, private lighting, outdoor lighting, athletic field lights, traffic signals, cotton ginning and irrigation, and irrigation rates.

ORDERED: 6. That Union Electric Company is authorized to apply the present rates in effect for Whiteman Air Force Base and for Southeast Missouri State University.

ORDERED: 7. That Union Electric Company is authorized to issue up to 86,620 shares of preferred stock and cancel the existing preferred stock of the subsidiaries.

ORDERED: 8. That Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company are authorized to transfer their certificates of convenience and necessity, franchises, works or system, licenses, leases and permits, mortgages, bonds, other evidences of indebtedness and other rights and obligations to Union Electric Company.

ORDERED: 9. That the authority herein granted shall be exercised within thirty (30) days of the effective date hereof or this order shall be of no force or effect.

ORDERED: 10. That Union Electric Company shall notify the Commission immediately if any average user in any class will receive more than an approximate 25 percent rate increase, other than the municipalities previously receiving service under the fixed municipal service and fixed municipal lighting rates.

ORDERED: 11. That Union Electric Company shall file tariffs reflecting refund provisions contained in the existing tariffs: MPL Tariff Sheet No. 11.2, MPL Tariff Sheet No. 11.3, MPL Tariff Sheet No. 11.4, ME Tariff Sheet No. 3.1, ME Tariff Sheet No. 3.2, and MU Tariff Sheet No. E-4.

ORDERED: 12. That Union Electric Company is to provide cost-of-service studies relating to municipal service, municipal and private lighting, irrigation, cotton gin and traffic signal rates in its next rate case.

ORDERED: 13. That any class of customers which want additional cost-of-service studies from Union Electric Company shall file a request with this Commission and show good cause for such a study at the earliest possible time.

ORDERED: 14. That Union Electric Company's present depreciation rates shall be prescribed for all electric properties.

ORDERED: 15. That Union Electric Company is to maintain the presently prescribed Union Electric Company, Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company depreciation rates for gas, water and steam heating properties.

ORDERED: 16. That Union Electric Company is authorized to apply the existing Union Electric rules and regulations throughout the subsidiaries' service areas provided, however, upon Union Electric's first assessment of a late payment charge on a given customer of Missouri Power & Light Company or Missouri Edison Company during 1984, the customer shall be notified of the assessment but shall not be charged.

ORDERED: 17. That the tariffs to be filed herein shall embody the rates herein found to be reasonable and proper, and may be charged for service rendered on and after thirty (30) days of the effective date of this Report and Order.

ORDERED: 18. That this Report and Order shall become effective on the  
28th day of December, 1983.

BY THE COMMISSION

*Harvey G. Hubbs*

Harvey G. Hubbs  
Secretary

(S E A L)

Shapleigh, Chm., Musgrave, Mueller  
and Hendren, CC., Concur and certify  
compliance with the provisions of  
Section 535.080, RSMo 1978.

Dated at Jefferson City, Missouri,  
on the 15th day of December, 1983.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,  
at Jefferson City, this 15th day of December 1983.

*Harvey G. Hubbs*

Harvey G. Hubbs  
Secretary

Matter of Union Elec. System, 1983 WL 183604 (1983)

26 Mo.P.S.C. (N.S.) 498

1983 WL 183604 (Mo.P.S.C.), 26 Mo.P.S.C. (N.S.) 498

**In the Matter of the Joint Application of the Utility Companies Comprising the Union Electric System for Permission and Authority (i) to Merge Missouri Utilities Company, Missouri Power & Light Company and Missouri Edison Company with and into Union Electric Company and (ii) to Carry out the Transactions Contemplated by the Mergers.\***

Case No. EM-83-248

Missouri Public Service Commission

December 28, 1983

### **SUPPLEMENTAL ORDER**

Before Shapleigh, Chairman, Mueller and Hendren, Commissioners.

BY THE COMMISSION:

\*1 The Commission issued its Report and Order in this matter on December 15, 1983. Joint Applicants filed their Motion for Clarification on December 22, 1983. Staff and Public Counsel filed their Concurrence in Motion for Clarification on December 23, 1983.

### **Findings of Fact**

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

The Joint Applicants and Staff agreed that the tariffs in this case should be charged for bills rendered on and after thirty (30) days of the effective date of the Report and Order. Staff Witness Straub testified that this is necessary because proration would be difficult, as with a rate design case. The Commission finds that this method of implementing the tariffs is reasonable in this case.

### **Conclusions**

The Commission, after notice and hearing, may order a change in the rate, charge or rental in any regulation or practice affecting the rate, charge or rental and it may determine and prescribe the lawful rate, charge or rental and the lawful regulation or practice affecting said rate, charge or rental thereafter to be observed.

It is, therefore,

Ordered: 1. That Ordered: 17 in the Report and Order issued on December 15, 1983, in Case No. EM-83-248 shall be changed to read:

That the tariffs to be filed shall embody the rates herein found to be reasonable and proper, and may be charged for bills rendered on and after thirty (30) days of the effective date of this Report and Order.

Ordered: 2. That this Supplemental Order shall become effective on the 10th day of January, 1984.



**Matter of Union Elec. System, 1983 WL 183604 (1983)**

26 Mo.P.S.C. (N.S.) 498

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Shapleigh, Chm., Mueller and Hendren, CC., Concur. Musgrave, C., Absent.

Footnotes

\* Refer to page 418 for a prior order in this case.

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End of Document

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P.S.C. MO., ILL. C.C., IA. ST. C.C. SCHEDULE NO. 5

FIRST REVISED

SHEET NO. 6

CANCELLING SCHEDULE NO. 5

ORIGINAL

SHEET NO. 6

APPLYING TO

MISSOURI SERVICE AREA

DESCRIPTION OF SERVICE AREAS

CLAY COUNTY

Townships: Fishing River  
Kearney  
Liberty  
Washington

JAN 17 1984

CLINTON COUNTY

Incorporated Communities: Lathrop  
Osborn  
Plattsburg  
Turney

Townships: Concord  
Lathrop  
Platte

COLE COUNTY

Incorporated Communities: Centertown  
Elston  
Eugene  
Henley  
Jefferson City  
Lohman  
Osage City  
St. Maries  
St. Thomas  
Schubert  
Taos  
Wardsville

**CANCELLED**

AUG 10 1991

BY 2nd R.S. 6

Public Service Commission  
MISSOURI

Townships: Clark  
Jefferson  
Liberty  
Marion  
Moreau  
Osage

COOPER COUNTY

Communities: Blackwater  
Boonville  
Boonville Speed  
Bunceton  
Otterville  
Pilot Grove  
Prarie Home

Issued on 10 days' notice under order of Mo.P.S.C., 12/28/83, in Case No. EM-83-248.

P.S.C. MO. DATE OF ISSUE January 17, 1984

DATE EFFECTIVE January 27, 1984

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE JAN 27 1984

ISSUED BY

Charles J. Dougherty

Chairman

St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED

JUL - 8 1987

PUBLIC SERVICE COMMISSION

In the matter of the application of Union Electric Company for a certificate of convenience and necessity authorizing it to own, control, manage and maintain an electric power system for the public in most of the service territory of its former subsidiaries.

Case No. EA-87-159

APPLICATION TO INTERVENE

Comes now Applicants, further described below, and specifically identified at Exhibit A, by and through their attorneys of record herein, and apply collectively and individually for leave to intervene in the above-captioned cause and in support thereof, respectfully state the following to the Missouri Public Service Commission ("Commission").

1. Intervenors are Rural Electrification Administration ("REA") financed electric power suppliers generating, transmitting and distributing electric energy to approximately 2 million persons in about 430,000 rural Missouri households.

2. All notices, orders and correspondence and decisions in this matter should be sent to:

Eugene E. Andereck  
Stockard, Andereck, Hauck, Sharp & Evans  
1111 Glenstone  
P. O. Box 4929  
Springfield, Missouri 65808-4929

Rodric A. Widger  
Stockard, Andereck, Hauck, Sharp & Evans  
101 West McCarty  
P. O. Box 1280  
Jefferson City, Missouri 65102

3. In its application in this case Union Electric Company ("UE") has requested that the Commission grant it authority to provide electrical service

for the public within territory presently served by a number of these intervenors. Some of the intervenors have been properly identified in UE's Exhibit 7 and other affected intervenors have not. All have an interest in this proceeding which is different from that of the general public.

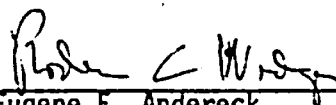
4. Intervenors are opposed to UE's application and if permitted to intervene intend to fully participate in this proceeding and a determination of the issues involved. Intervenors' opposition may be withdrawn if any authority granted under this application protects the interest of intervenors with limitations such as those found in the Retail Electric Supplier Unincorporated Area Certified Territory Act adopted by the State of Pennsylvania.

5. Because of the complexity of the issues and extent of the territory sought to be served by UE, prehearing discovery in this matter may be extensive and lengthy. Intervenors suggest that the Commission refrain from setting this matter for hearing until discovery is complete, especially since there are no allegations by UE that there are customers within the proposed service area that are in need of, but not receiving, service.

WHEREFORE, on the basis of the above and foregoing, these REA financed electric power suppliers respectfully request leave of the Commission to intervene and for permission to participate as parties in the above matter.

Respectfully submitted,

STOCKARD, ANDERECK, HAUCK,  
SHARP & EVANS

By   
Eugene E. Andereck  
Rodric A. Widger  
101 West McCarty Street  
P. O. Box 1280  
Jefferson City, Missouri 65102  
314-634-3422  
Attorneys for Intervenors

I hereby certify that a copy of the foregoing was served upon the attorneys of record herein by depositing same in the United States Mail, postage prepaid, this 8<sup>th</sup> day of JULY, 1987.

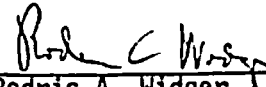
  
\_\_\_\_\_  
Rodric A. Widger

EXHIBIT A

Missouri REA Financed Power Suppliers are:

1. Atchison-Holt Electric Cooperative, Rock Port
2. Black River Electric Cooperative, Fredericktown
3. Boone Electric Cooperative, Columbia
4. Callaway Electric Cooperative, Fulton
5. Central Missouri Electric Cooperative, Inc., Sedalia
6. Citizens Electric Corporation, Ste. Genevieve
7. Co-Mo Electric Cooperative, Inc. Tipton
8. Consolidated Electric Cooperative, Mexico
9. Crawford Electric Cooperative, Inc., Bourbon
10. Cuivre River Electric Cooperative, Inc., Troy
11. Farmers' Electric Cooperative, Inc., Chillicothe
12. Gascoage Electric Cooperative, Dixon
13. Grundy Electric Cooperative, Inc., Trenton
14. Howard Electric Cooperative, Fayette
15. Howell-Oregon Electric Cooperative, West Plains
16. Intercounty Electric Cooperative Assn., Licking
17. Laclède Electric Cooperative, Lebanon
18. Lewis County Rural Electric Cooperative Association, Lewistown
19. Macon Electric Cooperative, Macon
20. Missouri Rural Electric Cooperative, Palmyra
21. New-Mac Electric Cooperative, Neosho
22. Nodaway Worth Electric Cooperative, Inc., Maryville
23. North Central Missouri Electric Cooperative, Milan
24. Northwest Missouri Electric Cooperative, Savannah
25. Osage Valley Electric Cooperative Association, Butler
26. Ozark Border Electric Cooperative, Poplar Bluff
27. Ozark Electric Cooperative, Mount Vernon
28. Pemiscot-Dunklin Electric Cooperative, Hayti
29. Platte-Clay Electric Cooperative, Inc., Platte City
30. Ralls County Electric Cooperative, New London
31. Sac Osage Electric Cooperative, El Dorado Springs
32. Scott-New Madrid-Mississippi Electric Cooperative, Sikeston
33. Se-Ma-No Electric Cooperative, Mansfield
34. Southwest Electric Cooperative, Bolivar
35. Three Rivers Electric Cooperative, Linn
36. Tri-County Electric Cooperative Association, Lancaster
37. Webster Electric Cooperative, Marshfield
38. West-Central Electric Cooperative, Inc., Higginsville
39. White River Valley Electric Cooperative Association, Branson
40. Central Electric Power Cooperative, Jefferson City
41. M & A Power Cooperative, Poplar Bluff
42. Northeast Missouri Electric Power Cooperative, Palmyra
43. N. W. Electric Power Cooperative, Cameron
44. Sho-Me Power Corporation, Marshfield
45. Associated Electric Cooperative, Springfield

RECEIVED

BEFORE THE PUBLIC SERVICE COMMISSION

APR 30 1990

OF THE STATE OF MISSOURI

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION

In the matter of the application of Union Electric Company )  
 for a certificate of convenience and necessity authorizing )  
 it to own, control, manage, and maintain an electric power ) CASE NO. EA-87-159  
 system for the public in most of the service territory of )  
 its former subsidiaries. )

In the matter of the application of Ralls Electric Service )  
 Co. for permission, approval, and a certificate of con- )  
 venience and necessity authorizing it to construct, install, )  
 own, operate, control, manage, and maintain an electric ) CASE NO. EA-88-21  
 distribution system for the public located in the territory )  
 encompassing parts of Monroe, Ralls, Pike, Audrain, and )  
 Marion Counties. )

In the matter of the application of North Electric Service )  
 Co. for permission, approval, and a certificate of con- )  
 venience and necessity authorizing it to construct, install, ) CASE NO. EA-88-33  
 own, operate, control, manage, and maintain an electric )  
 distribution system for the public located in the territory )  
 encompassing parts of Linn, Sullivan and Putnam Counties. )

In the matter of the application of Howard Electric Service )  
 Co. for permission, approval, and a certificate of con- )  
 venience and necessity authorizing it to construct, install, ) CASE NO. EA-88-113  
 own, operate, control, manage, and maintain an electric )  
 distribution system for the public located in the territory )  
 encompassing parts of Howard, Randolph, Boone, and Chariton )  
 Counties. )

APPEARANCES: Debra H. Janoski, Attorney at Law, Katherine C. Swaller, and  
Paul A. Agathan, General Attorney, P. O. Box 149, St. Louis,  
 Missouri 63166, for Union Electric Company.

Rodric A. Widger, Attorney at Law, Stockard, Andereck, Hauck,  
 Sharp & Evans, P. O. Box 1280, Jefferson City, Missouri 65102  
 for Howard Electric Service Co., North Electric Service Co.,  
 Ralls Electric Service Co., and 43 REA-Financed Electric  
 Cooperatives.

Mark G. English, Deputy General Counsel, 1330 Baltimore Avenue,  
 Kansas City, Missouri 64105, for Kansas City Power & Light Company.

Rex C. McCall, Attorney at Law, 301 East Central, Springfield,  
 Missouri 65802, for the City of Springfield, Missouri and  
 Missouri Association of Municipal Utilities.

Mark D. Wheatley, Assistant Public Counsel, P. O. Box 7800,  
Jefferson City, Missouri 65102, for the Office of the Public  
Counsel and the Public.

Charles Brent Stewart, Assistant General Counsel, P. O. Box 360,  
Jefferson City, Missouri 65102, for the Staff of the Missouri  
Public Service Commission.

REPORT AND ORDER

On June 8, 1987, Union Electric Company (UE) filed an application, designated as Case No. EA-87-159, seeking a certificate of public convenience and necessity to provide electric service to the public in a substantial area in Missouri previously served by its former subsidiaries.

On August 12, 1987, Ralls Electric Service Co. (RESCO) filed an application, designated Case No. EA-88-21, seeking authority to render electric service as a regulated public utility in some of the same areas sought by UE.

On September 1, 1987, North Electric Service Co. (NESCO) filed a similar application seeking authority to render electric service as a regulated public utility in other portions of the area sought by UE.

On October 8, 1987, Howard Electric Service Co. (HESCO) also filed an application, designated Case No. EA-88-113, seeking a certificate to provide regulated electric service in portions of the area sought by UE.

By orders issued October 20, 1987 and October 28, 1987, the Commission consolidated the applications of RESCO, NESCO, HESCO with that portion of UE's application overlapping the other three requested service areas.

On December 4, 1987, the Commission suspended the proceedings in these cases pending the outcome of a Petition In Quo Warranto filed in the Circuit Court of Boone County, State of Missouri *ex rel. the City of Springfield v. Boone County Electric Cooperative*, Docket No. 427463. That petition challenges the lawfulness of the relationship between Boone Electric Cooperative and Boone Electric Service



Company, which was created and exists under the identical conditions as RESCO, NESCO and HESCO. On July 20, 1988, because of unexpected delays in the resolution of the the Petition In Quo Warranto, the Commission requested comments and suggestions as to whether it should proceed to a decision in these applications. On September 30, 1988, after receiving comments, the Commission ordered the resumption of proceedings. Hearings were conducted on March 2 and 3, 1989.

A discovery dispute has arisen in this matter as a result of refusal of HESCO, RESCO and NESCO to respond to the Commission's order granting the Staff's motion for an order to compel answers to Staff's data requests. During the course of the hearing the Staff's counsel offered an oral motion seeking a Commission finding that HESCO, RESCO and NESCO were in violation of the Commission's February 22, 1989 order. The Staff's counsel further moved for authority to seek statutory penalties against HESCO, RESCO and NESCO for being in violation of the Commission's order. The discovery dispute subsequently was resolved and Staff's motion was withdrawn.

At the conclusion of the hearing a briefing schedule was established. On June 1, 1989, Applicants HESCO, RESCO and NESCO filed their Motion To Suspend Briefing Schedule because of the enactment by the Missouri Legislature of House Bill No. 813. That bill would permit rural electric cooperatives, under certain circumstances, to expand their service in nonrural areas and further authorized the displacement of competition between electrical suppliers by written territorial agreements. The motion recited that intervenor cooperatives might withdraw their opposition to UE's area certificate application if its necessity is tied to territorial agreements and its convenience is measured against possible duplication of facilities. By order issued June 20, 1989, the Commission denied the Motion To Suspend Briefing Schedule.

Briefs and reply briefs have been filed on behalf of the four Applicants in this matter, the Staff, and the Office of the Public Counsel. Reply briefs have been filed by the Missouri Association of Municipal Utilities and a group of 43 Rural Electrification Administration Financed Power Suppliers who intervened in opposition to UE's application.

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

At the outset of the hearing the parties offered the following stipulation of facts which the Commission adopts as a part of its findings.

1. As used in this document the following definitions apply: "Parent cooperative" includes Ralls Electric Cooperative, Inc.; Howard Electric Cooperative, Inc.; and North Central Missouri Electric Cooperative, Inc.; "Subsidiary companies" include RESCO, HESCO and NESCO; "Transmission and Generation Cooperatives" include Northeast Missouri Electric Power Cooperative, Inc.; N.W. Electric Power Cooperative, Inc.; Associated Electric Cooperative, Inc.; and Central Electric Power Cooperative, Inc.; "CFC" means the National Rural Utilities Cooperative Finance Corporation and "REA" means the Rural Electrification Administration.

2. The following persons, if called to testify at a hearing on this matter, and if asked the questions which appear in their respective pre-filed testimony would respond in the same manner as the answers contained in such testimony: J. C. Boettcher, D. Branstetter, V. Chirnside, D. W. Cobb, H. W. Combs, D. D. Groesbeck, D. L. Hagan, F. J. Hampton, C. M. Hunsel, C. S. Seabaugh, J. L. Smythe, and G. L. Waters; Kansas City Power & Light witnesses: G. A. Bullington and S. W. Cattron; Cooperative Intervenor witnesses: H. Buckallew, R. A. Burton, S. Estes, J. C. Farris, V. Gage, W. Hackman, G. G. Hilkemeyer, W. Honeycutt, B. L. Jahn, D. Nelson, W. E. Oestreich, B. L. Reeves, W. R. Ryan, D. L. Strode, E. Walters, D. H. Wilkerson; HESCO witnesses: R. A. Schmidt, W. H. Duke, and G. Deroos; RESCO witnesses: L. Toth, J. Deal, and G. Deroos; NESCO witnesses: W. H. Duke, R. A. Schmidt and G. Deroos.

3. Ralls County Electric Cooperative, Inc., North Central Missouri Electric Cooperative, Inc. and Howard Electric Cooperative, Inc. will supply or guarantee all financing required by their respective service companies.

4. RESCO, NESCO and HESCO have not investigated any sources of financing, other than their respective parent cooperatives.

5. The parent cooperatives of RESCO, NESCO and HESCO are contractually bound to purchase all of their electric power needs from their respective transmission cooperatives.

6. The general plant facilities, such as buildings and vehicles owned by the parent cooperatives of RESCO, NESCO and HESCO, will not be transferred to the respective subsidiary service companies.

7. CFC has not agreed nor has it refused to loan funds directly to NESCO, RESCO or HESCO.

8. NESCO, RESCO and HESCO, if granted certificates, may seek to serve in towns of over 1,500 in population "as franchise and certificate authority is obtained."

9. Federal law allows a Rural Electrification Act borrower to invest its own funds or make loans or guarantees not in excess of 15 percent to its total utility plant without restriction or prior approval of the administrator of the Rural Electrification Administration.

10. The Generation and Transmission Cooperatives providing electricity to the parent cooperatives have not "been asked" to allow the PSC Staff to audit their books.

11. Under proposed contracts, RESCO, NESCO and HESCO are not free to contract for power, engineering services or accounting services on their own, but instead would receive such services from their respective parent cooperatives.

12. The parent cooperatives will continue to exist and are legally free to compete with their subsidiary service companies and other regulated utilities in the area sought to be certified though they will have relinquished their existing facilities and easements.

13. The parent cooperatives' area coverage requirements under their REA mortgages obligate the cooperatives to serve all customers within their service territory who request service and who are not already receiving central station service.

14. The parent cooperatives' service territory for REA purposes will be coextensive with its subsidiary service company, but will also include those areas currently served by the parent cooperative but which are not now included in the service companies' applications.

15. The transfer of assets by the parent cooperatives to the service company subsidiaries must be approved by REA.

16. CFC has not committed to loaning funds to the parent cooperatives for purposes of reloaning to the subsidiary service companies though it has expressed a preference for this method when the financial need arises and an application is submitted.

17. There are no customers in the areas sought to be certified who are not receiving or who cannot obtain service within a reasonable time under the line extension policies of either an investor owned utility or a member owned electric cooperative.

18. In all of the counties requested by U.E. in its application electric service may also be obtained from rural electric cooperatives.

19. UE does not have existing facilities in portions of the territory it has requested.

20. UE's planning projections allow for the fact of the existence and service of rural electric cooperatives.

21. The proposed agreements between the parent cooperatives and their respective subsidiaries have not been executed.

22. All electric power suppliers engage in planning for system growth and make investment to meet future needs.

In addition to the Stipulation of Facts offered by the parties, the additional following facts were established by the evidence adduced during the hearing.

#### UE's Application

UE is a Missouri corporation duly qualified and authorized to operate as a regulated public utility within the meaning of Section 386.020(29), RSMo (Cum. Supp. 1989). The service territory sought by UE includes portions of the territories served by its former subsidiaries. Through mergers and other acquisitions, UE, or its predecessors, have served in portions of the area since approximately 1889. UE holds some area certificates as well as numerous line certificates in its requested service area. Recently UE has been subject to a number of complaints brought by rural electric cooperatives concerning extensions under its line authority. UE's extension policies have also been subject to criticism from the Commission Staff. UE's stated purpose in filing the instant application is to resolve any possible

misunderstanding about its certificated area, thereby minimizing future litigation before this Commission and the courts. By the instant application UE is requesting an area certificate for its existing service territory for which it does not already have an area certificate.

UE has engaged in long range planning to implement what it has always had considered its authority and its obligation to render electric service in the involved territory. The testimony of a number of UE district managers establishes that UE has adequate facilities to serve growth in the area in the immediate future with safe and reliable service. UE's existing distribution system in the area has an original cost of \$224 million with an estimated replacement cost of \$521 million. UE renders service to an estimated 125,680 customers in the proposed service area and has franchises from each city and county in which it seeks authority. If the area certificate is granted, UE would continue to operate much as it does now in the service territory. The evidence further indicates that UE's planning for the proposed service area is extensive enough that the Company has adequate facilities to handle its expected customer growth as well as the expected customer growth of the involved cooperatives.

There appears to be little doubt, and the Commission so finds, that UE is in all respects qualified and capable to render the proposed service in and around areas near its existing facilities. The service will be merely duplicative of what UE has been doing for years under an assumed authorization.

A group of 43 Rural Electrification Administration Financed Power Suppliers intervened primarily to protest UE securing authority to extend service to areas remote from UE's existing facilities. Cooperative witnesses objected to the possibility of increased duplication no matter how close a prospective customer may be to cooperative facilities. The 16 cooperative witnesses offered substantially the same prepared testimony consisting of 16 questions.

The Commission Staff and the Office of the Public Counsel both generally support the application of UE to the extent that it clarifies UE's present line certificate authority in the general vicinity of existing transmission and distribution facilities. Staff and Public Counsel, however, oppose UE's request for authority for a rural territory in several counties far from existing facilities. Staff opposes UE's request for remote areas because of the perceived liberality of UE's line extension policy. Under UE's current extension policies, UE could provide regulated service by extending lines an unreasonable distance for the contributions received, all to the detriment of existing ratepayers. It is the Staff's recommendation that any certificate granted to UE should include an area within the land sections where UE has existing facilities.

The Commission finds that the Staff's recommendation is consistent with past Commission policy and should be adopted. That recommendation will, to a large extent, respond to the primary concern expressed by the cooperative intervenors in this matter. Moreover, requiring future applications by UE when the public need arises is not perceived to be a substantial burden. The manager of UE's Capital District offered testimony to establish that, in that district, no extensions of more than one mile had been made in five years. Most overhead single-phase extensions were of approximately one-quarter mile in length with only five being in excess of one-half mile within that period of time. That prospective frequency of applications should not be an oppressive burden to UE and its certificate should be limited to the extent recommended by the Commission Staff and Public Counsel.

For all the foregoing reasons, the Commission determines that UE has proved that the public interest would be served by granting UE's application to the extent modified herein.

Electric Service Company Applications

Applicants HESCO, RESCO and NESCO to a large extent will be described collectively since the managers of the three Applicants offered substantially the same prepared testimony. The only significant variations was the first four questions dealing with witness' name, the name of his cooperative, the length of his service, and his background or experience.

The evidence shows that HESCO, RESCO and NESCO are wholly-owned subsidiaries of Howard Electric Cooperative, Ralls County Electric Cooperative and North Central Missouri Electric Cooperative, Inc., respectively. The subsidiaries are organized as general business corporations under Chapter 351 to operate as regulated public utilities under Commission jurisdiction. One hundred percent of the subsidiaries' stock will be acquired by the parent cooperatives along with a note and mortgage on all of the subsidiaries' assets.

Each parent cooperative will have the same board of directors as its respective subsidiary, and the subsidiaries will have no employees and will perform no services for themselves. All personnel and services such as maintenance, new construction, engineering and accounting will be provided by each parent pursuant to a proposed Operating Agreement. Each parent cooperative will pay all of the bills of its subsidiary in exchange for each subsidiary providing all of its income to its parent.

The subsidiaries' financing will be obtained from their respective parents primarily by way of borrowing funds from CFC expressly for the purpose of relending the money to the subsidiary. No other lender has committed to financing the subsidiary companies directly, and no other source of financing has been investigated. CFC is incorporated as a private, not-for-profit cooperative association, under the laws of the District of Columbia. Its principal purpose is to provide its member cooperatives with a source of financing to supplement the loan

program of REA. CFC makes loans to its rural electric utility system members to enable them to acquire, construct and operate electric distribution, generation, transmission and related facilities.

To properly understand the relationship between the various cooperative organizations, it may be helpful to review their history and development as described by the Applicants' chief operating officers. When Missouri Rural Electric Cooperatives were organized in the late 1930s and the early 1940s, each distribution cooperative secured its own local power supplier. As the cooperatives' power requirements increased it was decided that they must acquire their own long-term source. A group of rural electric cooperatives, including Howard Electric Cooperative, formed Central Missouri Electric Power Cooperative. Other distribution cooperatives in Missouri formed additional generation and transmission cooperatives (G&Ts) resulting in the formation of a total of six G&Ts, each supplying power to individual distribution cooperatives in their respective areas of operation. In the 1960s the six G&Ts formed Associated Electric Cooperative, Inc. for the purpose of building power plants to provide the G&Ts with their future power requirements. To supplement its own generation capacity, Associated Electric Cooperative, Inc. contracts for power from different sources, including the Southwestern Power Administration, a federal power marketing agency within the Department of Energy, established to market low cost hydroelectric power produced by certain federal water projects.

The power requirements of each applicant service company will be met by purchases from the parent cooperative under a proposed Power Purchase Agreement. The parent cooperatives are in turn obligated to purchase their power from their respective G&T. G&Ts in turn obtain all of their power requirements from Associated Electric Cooperative, Inc., which has been described a "super" G&T. Under this arrangement the power costs are established solely by the sellers.



The service companies propose a plan to maintain the existing rates presently charged by the parent cooperatives. The Rural Electrification Administration (REA) assists in establishing the parent cooperative's rates and REA must also approve the subsidiary electric service companies involved in these applications before such companies can begin operation. Under a proposed Facilities Purchase Agreement, the subsidiaries intend to acquire the distribution facilities of the parents; however, the general plant facilities, such as buildings and vehicles owned by the parent, will not be transferred.

Although the proposed subsidiaries plan to maintain the same rates presently being charged by the parent, the respective managers testified that they were unaware of the extent of additional expenses which will be incurred by virtue of being a Chapter 351 corporation and a public utility subject to the jurisdiction of this Commission. Some of those costs, which have not been taken into account, are filing an income tax return, paying the Public Service Commission assessment, compliance with the requirements of the Uniform System of Accounts, and payment of fees for a certificate authorizing the borrowing of money.

The prepared testimony of the cooperative managers addresses the justification of public need by stating that the applications are necessary to bring under control the needless duplication of facilities, and to avoid economic waste and destructive competition. During his cross-examination, the HESCO manager indicated that the primary reason for the application was to provide territorial integrity and to protect the cooperative's financial investment in the system. The NESCO witness corrected his prepared testimony to indicate that no major duplication between the cooperative's facilities and UE's facilities exist in NESCO's service area. In effect, the NESCO witness removed the most prominent expressed purpose for NESCO's application.

The service company applicants propose the use of a "closer to" principle to establish the authorized provider of service where the proposed service territories of the service company and UE would overlap. In the event that it is impossible to determine which provider of electric service has the closest facilities, the service companies propose that customer preference would prevail. The service company witnesses all stated that a number of states have a "closer to" principle embodied in statutes authorizing state public service commissions to make an allocation of territory. The service company operating witnesses acknowledged that they had not read any of the statutes and did not know, nor could they suggest, the precise method of implementing the "closer-to" plan.

All of the service company witnesses acknowledged that the parent cooperatives would not cease to exist and would still have authority to acquire customers of their own. Moreover, it was acknowledged by some of the service company witnesses that the cooperatives would retain an area-wide obligation to extend service to any customer requesting service. Neither the service area territory allocation nor the "closer to" principle, however, would bind the parent cooperative. In effect, a granting of the service companies' applications would present the possibility of three competitors in the involved territories whereas there are two existing at present.

It was also acknowledged by the cooperative witnesses that granting the service companies' applications, under the circumstances suggested, would not eliminate potential destructive competition for large commercial or industrial loads which may materialize in the service area. If an industrial plant located in the HESCO-UE territory is "closer to" UE facilities, that fact would not prevent the industrial customer from requesting and receiving service from Howard Electric Cooperative. Under those circumstances, the cooperative would still be permitted to pick and choose desirable customers without giving any consideration to the "closer

to" principle. It also was revealed that, in reality, there would still be a fourth unregulated competitor for larger desirable loads. It was acknowledged by the cooperative witnesses that industrial loads were very seldom served by the distribution cooperative such as Howard or Ralls, but those loads were undertaken by the G&Ts. As an example, it was pointed out that the substantial electric load of the Noranda Aluminum Plant at New Madrid, Missouri, was being furnished by Associated Electric Cooperative, the "super G&T".

In considering similar allegations in a prior application for a certificate by a cooperative, the Commission expressed difficulty in seeing how the proposal could achieve the stated goal of avoiding duplication.

The Commission's jurisdiction over the cooperatives is limited to safety matters pursuant to Section 394.160, RSMo 1986, as amended, and the settling of change of supplier disputes pursuant to Sections 393.106 and 394.315, RSMo 1986, as amended. The Commission lacks the jurisdiction necessary to prevent the cooperatives from duplicating facilities in order to compete for prospective customers unless in so doing the cooperatives violate safety rules or the change of supplier statutes. Section 386.310(2), RSMo 1986, as amended. Sho-Me's General Manager, John Davis, admitted under cross-examination that Sho-Me's proposal provided for no restriction on cooperatives to refrain from extending distribution lines to gain the advantage of being closer to a prospective customer. Therefore, whether or not this certificate is granted, the cooperatives will be free to duplicate facilities in order to compete with other regulated providers there, provided they do so safely. *Application of Sho-Me Power Corporation et al.*, 29 Mo. P.S.C. (N.S.) 415, 418 (1988).

The Commission recognizes that the General Assembly statutorily has allowed competition between and among cooperatives, regulated utilities and municipalities. In fact, the General Assembly again acknowledged such competition with the passage of Section 394.312, RSMo (Cum. Supp. 1989).

The Commission finds that the possibility of controlling duplication by the granting of the instant electric service company applications is to a large extent illusory. When that fact is coupled with the absence of any potential customer being unable to receive service from existing suppliers, the only public need demonstrated

by the electric service company applicants in the instant cases is really the need of service companies or that of their parent cooperatives.

Intervenor Kansas City Power & Light Company (KCPL) is an electric corporation subject to the jurisdiction of this Commission and has been rendering electric service pursuant to area certificates of public convenience and necessity for portions of Howard, Randolph and Chariton Counties for more than 50 years. KCPL has a long history of rendering satisfactory service in the involved service territory and has adequate facilities to continue to absorb the customer increase which has been only approximately 1.6 percent annually in recent years. KCPL opposes the service company applications, especially where HESCO's proposed territory would overlap with KCPL's existing territory.

The Missouri Association of Municipal Utilities (MAMU) protested the granting of the authority sought by the service companies primarily on the grounds that the only real purpose of the applications is to secure protection of the cooperatives from investor-owned utilities. It is also pointed out by MAMU that public convenience and necessity has not been proven since there is no prospective purchaser not presently able to acquire electric service in any of the proposed territories. It is the contention of MAMU that the issue of line duplication is one for the General Assembly to address, not the Public Service Commission.

Both the Commission Staff and Public Counsel urge rejection of the service company applications as not being in the public interest. It is the contention of the Commission Staff that the true motivation behind the applications is to secure territorial protection which the parent cooperatives could not otherwise secure. It is also the Staff's contention that the public would not benefit by regulating subsidiaries of cooperatives as it is unlikely that the existing "single enterprise" structure of the cooperatives will be altered. It is contended that the granting of

the service company applications will add to, not diminish, competition. The Commission concurs in these contentions and shares these concerns.

The proposed electric service company certificate applications are also criticized because of the potential for evasion of meaningful regulation or jurisdiction of the Commission. The briefs of the Staff and the Public Counsel note that the failure of HESCO, RESCO and NESCO to timely provide adequate responses to data requests may be a forewarning of the difficulty being encountered by the Commission Staff in regulating a utility company that is so dependent on an unregulated cooperative parent.

UE, Kansas City Power & Light Company, Public Counsel, and Commission Staff all urge rejection of the service company applications because of the numerous unanswered questions concerning the legality of the relationships between the service companies and the respective cooperative parents. These parties assert that it would not serve the public interest to grant any certificate authority to subsidiaries of electric cooperatives until the Quo Warranto action pending before the Circuit Court of Boone County is resolved.

Reasons for the recommended rejection of the service companies' certificates also include what the Commission perceives to be a valid concern as to the ability of the operations to be financed by CFC. As previously indicated in this Report and Order, the service companies stipulated that CFC has made no agreement to loan such funds and that no other source of financing has been investigated.

Another ground urged for rejection of the proposed service company applications is the potential determination that the cooperatives have no legal authority to loan money to their subsidiaries. All three cooperatives are subject to the provisions of Section 394.080, RSMo which authorizes a cooperative to lend money in only two situations. Cooperatives are authorized to lend money to persons to whom electricity will be supplied for the purpose of wiring their premises. Additional

authority is extended to allow loans for the purpose of constructing, maintaining and operating electric refrigeration plants.

This Commission is unauthorized to resolve any of the legal disputes alluded to by the various parties in this matter. However, the Commission must remain aware of the real world problems created by the potential resolution of those disputes against the cooperatives. The resolution of any one of a number of those controversies unfavorably to the cooperatives would render a fatal blow to the proposed methods of operations as regulated utilities. These potential infirmities lend additional support for denying the service company applications.

For all the foregoing reasons, the Commission determines that HESCO, RESCO, and NESCO have failed to prove that the public interest would be served by granting their respective applications.

#### Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

The instant applications are governed by Section 393.170, RSMo 1986, which requires an electrical corporation to secure a certificate of public convenience and necessity from this Commission prior to construction and operation of an electric plant. The applicable section grants the Commission the discretion to award a certificate if, after hearing, the Commission determines that the requested authority is necessary or convenient for the public service. *State ex rel. Public Water v. Public Service Commission*, 600 S.W.2d 147, 153 (Mo. App. 1980).

Convenience and necessity of the public is of paramount importance and the needs of the applicant utility are "only of secondary importance." *Public Water* at 156. In the case of HESCO, RESCO and NESCO, the actual need has been demonstrated to be that of the applicant service companies, or of their respective parent cooperatives, and no prospective user of their service has supported the service company

applications. To prove "public need" or "necessity" an applicant must show that the additional service would be an improvement to justify its cost and that the inconvenience to the public resulting from the lack of the utility's proposed service is sufficiently great as to amount to a necessity. *State ex rel. Beaufort Transfer Company v. Clark*, 504 S.W.2d 216, 219 (Mo. App. 1973). To the contrary, the evidence establishes that all prospective users of electric service can secure that service from the parent cooperatives or from UE. Adding yet more suppliers, such as HESCO, RESCO and NESCO, will not diminish, and will only promote, destructive competition. The Commission further concludes that the adoption of the "closer to" framework in lieu of the traditional obligation to serve requirement is not in the public interest and is contrary to long-standing practice. *Sho-Me Power Company, et al.*, 29 Mo. P.S.C. (N.S.) 415, 418 (1988).

To a large extent, the authority of UE to provide service in its proposed service area has been presumed for years through existing line certificates. In recent times the existence of that authority has been questioned. The UE application has been filed only to resolve any potential doubts about its authority to perform the service in which it is actively engaged, such as those raised in *State ex rel. Union Electric Company v. Public Service Commission*, 770 S.W.2d 283 (Mo. App. 1989). UE's application also has been filed in response to the Commission's stated view that it is sound public policy for regulated utilities to convert line certificates into area certificates which more explicitly delineate the geographic territory in which the utilities are authorized to serve. *Sho-Me*, at 420. Even so, the Commission is reluctant to grant authority far beyond the utility's existing facilities. *Sho-Me*, at 421-22.

This Commission has denied applications for certificates of convenience and necessity by a regulated utility in the absence of requests for the utility's service, even when the available alternatives were unregulated municipal utilities

and rural electric cooperatives. *In the matter of Empire District Electric Company*, 9 Mo. P.S.C. (N.S.) 349 (1960). However, in determining whether or not to grant a certificate, the Commission has consistently required the applicant to demonstrate the adequacy of its financing to permit conduct of the operations contemplated. If the applicant is unable to demonstrate sufficient financial strength, the proposed certificate should be denied. *In re: Miller Communications*, 25 Mo. P.S.C. (N.S.) 339 (1982). While the adequacy of UE's financing clearly has been shown, such is not the case with HESCO, RESCO and NESCO.

Several of the parties urge rejection of the applications of HESCO, RESCO and NESCO under the contention that some of the current activities and some of its contemplated activities are unlawful. This Commission has no power to declare or enforce any principle of law or equity. *Lightfoot v. The City of Springfield*, 236 S.W.2d 348 (1951). For that reason, we conclude that it would be improper for us to attempt to resolve the numerous legal issues inherent in the attacks contained in the briefs of the parties. While we decline to attempt to resolve those issues, the Commission nevertheless cannot simply ignore their potential resolution against the service companies as one of the many factors inherent in a public interest determination under Section 393.170, RSMo 1986.

Finally, the Commission concludes that a grant of authority which would be instrumental in diverting activities and resources of REA cooperatives from their traditional rural role would be an assumption of authority not granted the Commission by the General Assembly. The Commission is a body of limited jurisdiction and has only such powers as are expressly conferred upon it by the statutes and the powers reasonably incidental to those expressly conferred powers. *State ex rel. and to the use of Kansas City Power & Light Company v. Buzard*, 168 S.W.2d 1044 (1943). The General Assembly of this state created the Public Service Commission for the expressed purpose of regulating public utilities. Subsequently, the General Assembly



enacted Chapter 394 of the statutes of the state of Missouri, thereby creating rural electric cooperatives for the purpose of rendering electric service in rural areas not generally served by public utilities. The General Assembly is well aware of the coexistence of the regulated and unregulated suppliers of electricity and of the competition such coexistence engenders. The Commission notes that the General Assembly recently enacted Section 394.312, RSMo (Cum. Supp. 1989), wherein it provided the alternative of territorial agreements among suppliers to displace destructive competition. While such agreements clearly are voluntary, the Commission encourages all the Applicants herein to earnestly explore this newly-created option. The Commission notes further that Section 386.310, RSMo (Cum. Supp. 1989), precludes the Commission from allocating territory or granting territorial rights among suppliers based on safety reasons. In the absence of a clear legislative mandate for the Commission to assign protected service territories among regulated and unregulated providers of electric service on a statewide basis, the Commission declines to attempt to do so on a piecemeal basis under the scheme proposed herein by the applicant service companies.

For all of the foregoing reasons, the applications of HESCO, RESCO and NESCO should be denied and the application of UE should be substantially granted, limited to the extent recommended by the Commission Staff in this matter.

It is, therefore,

ORDERED: 1. That the applications of Ralls Electric Service Co. in Case No. EA-88-21, North Electric Service Co. in Case No. EA-88-33 and Howard Electric Service Co. in Case No. EA-88-113 be, and are, hereby denied.

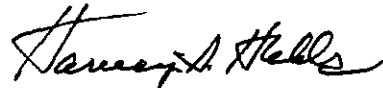
ORDERED: 2. The application of Union Electric Company is hereby granted to the extent described herein.

ORDERED: 3. That within thirty (30) days from the effective date of this Report and Order Union Electric Company shall file for Commission approval proposed

tariffs containing a metes and bounds description of the service area herein involved and a service area map in compliance with 4 CSR 240-2.060(2)(A)(7).

ORDERED: 4. That this Report and Order shall become effective on the 30th day of May, 1990.

BY THE COMMISSION



Harvey G. Hubbs  
Secretary

(S E A L)

Steinmeier, Chm., Mueller, Rauch, McClure,  
and Letsch-Roderique, CC., Concur and certify  
compliance with the provisions of Section  
536.080, RSMo 1986.

Dated at Jefferson City, Missouri,  
on this 27th day of April, 1990.

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the matter of the application ) CASE NO. EA-87-159  
of Union Electric Company. ) CASE NO. EA-88-124

APPEARANCES: Paul A. Agathen, General Attorney and David C. Linton,  
Attorney at Law, P. O. Box 149, 1901 Chouteau Avenue,  
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Howard Electric Service Company, North Electric Service Co.,  
Platte-Clay Electric Cooperative and Ralls Electric Service  
Company.

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Robert J. Hack, Assistant General Counsel, P. O. Box 360,  
Jefferson City, Missouri 65102, for the Staff of the  
Missouri Public Service Commission.

SUPPLEMENTAL REPORT AND ORDER

By Order issued June 29, 1990, the Commission clarified the authority previously granted to Union Electric Company (UE) in the various Reports and Orders issued in these matters by stating that the certificates should include "land sections in which UE has existing distribution facilities plus land sections immediately adjacent thereto".

In attempting to define the UE area certificate it became apparent for the first time that although the term had been used in the Staff's testimony, there was no generally or commonly accepted meaning of the term "distribution facilities". For that reason, the June 29, 1990 order also set the UE applications for further hearing "for the sole and limited purpose of taking evidence on how the term 'distribution

facilities' should be defined for the purposes of the authority granted to UE in the previous Report and Order." That Order was not appealed and is now final.

The issue of the meaning of the term "distribution facilities" involves only the Union Electric applications. The further hearing for arriving at that definition was held on August 30, 1990. Briefs have been filed by UE, the intervenor cooperatives, and the Commission's Staff.

#### Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

UE proposes to define distribution facilities herein as all lines of a capacity of 100,000 volts (100 kv) or less. Because UE's system generally does not include any lines of a capacity between 69 kv and 138 kv, as a practical matter, UE is asking for the inclusion of 34.5 kv and 69 kv lines.

The Commission Staff proposes to define distribution facilities herein as lines of a capacity of 30 kv or lower. The intervenor cooperatives contend that distribution facilities should be defined as only those lines of a capacity of 25 kv or less.

The diverse positions urged by the parties places at issue approximately 1,000 sections of land or square miles in UE's certificate applications. UE's system has 34.5 kv lines in 477 sections and 69 kv lines in approximately 321 land sections. There are approximately 150 additional sections which have 34.5 kv or 69 kv lines plus lines of a much larger capacity, which all parties agree are transmission facilities. UE's witnesses are unaware of the number of sections that would be involved by the inclusion of "adjacent sections" since no study of their system maps had been performed for that purpose.

The position of the intervenors was stated by the manager of one of the member cooperatives, based on his familiarity with Rural Electrification Administration standards for line construction and work, and his familiarity with cooperative practices on a daily basis. The cooperatives are unaware of any book definition of "distribution" as opposed to "transmission" facilities. Instead, the cooperative manager proposes a practical distinction of whether or not a line is used to carry electric energy at voltages usable to the ultimate customer. It is the position of the cooperatives that if the voltage carried by a line is so high that a substation or multiple transformers are required to reduce the voltage, then the line should be properly defined herein as a transmission line.

The amount of available energy is increased by the use of multiple conductors. Mr. Jahn, the cooperative manager, stated that his cooperative's standard construction was of 7,200 volts single-phase distribution, and three-phase construction of 12,470 volts, commonly referred to as 7,200/12,470. Jahn acknowledged that some cooperatives do operate at 14,400/24,900 volts for distribution purposes. The cooperatives do not operate at more than 24,900 volts because of the necessity to increase inventory of different sizes of transformers, insulators, meters and other associated equipment. It was Jahn's opinion that a distribution voltage of 30,000 was an energy flow too large for common use and too small for large power users.

Jahn was also of the opinion that lines of 34.5 kv should be considered transmission lines because very expensive transformers are required to serve the most common load. Transformers for converting the energy from the cooperatives' 7,200 volt distribution lines cost only \$453. It was Jahn's opinion that transformers to convert energy from 34.5 kv to 120/240 volts cost approximately \$1,540 and require up to 16 to 18 weeks for delivery. The UE witnesses contradict the cost estimates proffered by Mr. Jahn. The UE witness produced a quotation for transformers capable

of converting energy from a 34.5 kv line to customer service voltage for a price of \$485, only 18 percent higher than the \$409 which UE pays for transformers employed on 12.47 kv lines. Jahn also expressed the opinion, however, that UE is in reality using much lower capacity facilities for distribution purposes and described one situation in Audrain County near Benton City where UE chose to build a new 2,400 volt line to serve individual residences rather than use existing 34.5 kv lines. Jahn appears to be only marginally familiar with the circumstances surrounding the construction near Benton City, since UE's evidence establishes that the only construction from a 2,400 volt line of that nature in 1989 was a 60-foot extension of primary and 100 feet of 120/240 volt secondary to serve a single residence. The 34.5 kv line of which Jahn was presumably speaking was approximately one quarter of a mile from the customer.

The Staff's selection of 30 kv as the maximum capacity for inclusion in distribution lines is based on the Staff witness' observation that retail customers are very rarely served directly from lines of 34.5 kv or higher voltages. It was the Staff witness' opinion that customers aren't generally served from lines of that size because those lines are looped, i.e., capable of having power flow from two directions. It is the Staff's contention that, since those lines are taken out of service to perform maintenance, customers served directly from those lines necessarily must be out of service during periods of maintenance. The Staff's opinion is also based partly on the broad observation that retail service from 34.5 and 69 kv lines is customarily performed through distribution substations.

The Staff also objects to the inclusion of 34.5 and 69 kv lines in the distribution category since such an assignment would create unreasonable service obligations for UE. UE's present extension rule provides for service extensions of up to 500 feet on private right-of-way at no cost to a customer. It is the Staff's

interpretation of that rule that a customer requesting service to a location near a 34.5 or 69 kv line could require UE to construct an expensive substation.

The record indicates, however, that the most common method of providing retail service from a 34.5 or 69 kv line is through the use of an "underbuild", which is the construction of a distribution voltage line under the transmission line on the same poles or towers. UE estimates its cost of building stand alone single-phase lines to be approximately \$5.00 per running foot, whereas, underbuilding can be achieved for approximately 60 percent of that cost. It is the Staff's opinion that if UE's area certificate includes sections containing 34.5 and 69 kv lines in adjacent sections, the Company could also be required under its extension rule to extend an underbuild as much as two miles, a distance that is neither cost effective nor reasonable.

In support of its proposal to include 69 and 34.5 kv lines in the definition of distribution facilities herein, UE relies on language in its tariff and in the Uniform System of Accounts prescribed by the Federal Energy Regulatory Commission (FERC). The applicable tariff provisions are contained in Sheets 128 and 132 of the Company's General Rules and Regulations which became effective May 5, 1990. Sheet 128, paragraph 12, Distribution System states as follows: "Company facilities, generally supplied from various points on the transmission system, e.g., substations, primary lines normally ranging from 69,000 to 2,400 volts, transformers, switch gear, manholes, pedestals, secondary lines ranging from 600 to 120 volts, services and metering."

Paragraph 36, Transmission System on Sheet 132 states as follows: "Company lines and substations, normally operating at voltages of 138,000 volts or higher, which transfer bulk electrical power from generating stations or other sources of supply to principal connection points on the Company's distribution system or to other interconnected utility systems."

In the Commission's opinion the definitions are of little persuasion and somewhat at odds with the sponsoring witness' statement that "the difference between transmission and distribution lines on the Union Electric system is one of purpose of the line and how the facility is being used." The UE witness also acknowledged that to determine where the Company is authorized to serve, the Commission must determine the Company's ability to serve customers in a reasonable manner. We are of the opinion that the cited tariff provision, in the abstract, does not describe the Company's ability to serve customers in a reasonable manner.

The FERC Uniform System of Accounts provisions relied on by UE is described as Electric Plant Instruction 14 which states:

14. *Transmission and Distribution Plant.*

For the purpose of this system of accounts:

A. "Transmission system" means:

. . . .

(3) All lines and equipment whose primary purpose is to augment, integrate or tie together the source of power supply.

B. "Distribution system" means all land, structures, conversion equipment, lines, line transformers, and other facilities employed between the primary source of supply (i.e., generating station, or point of receipt in the case of purchased power) and of delivery to consumers, which are not includable in transmission system as defined in Paragraph A, whether or not such land, structures and facilities are operated as part of a transmission system or as a distribution system. (Emphasis supplied).

In the Commission's opinion the cited portion illustrates that the Uniform System of Accounts is intended primarily to ensure that all facilities are included in some jurisdictional rate base for ratemaking purposes. The allocation resulting from the Uniform System of Accounts may or may not reflect the actual use of the facilities and is not persuasive for the instant purpose of these proceedings.

A second UE witness, the manager of the Company's Capital District, also agreed generally that the instant issue should be resolved on the basis of actual



function by saying "the real question is from what facilities is the Company capable of serving customers." It was the district manager's contention that, since the Company can and does serve many customers directly from 69 kv and 34.5 kv lines, both should be included in the category of distribution facilities.

The evidence shows that UE can serve retail customers in two ways from 34.5 kv lines. The manager of the Capital District described investigations by Missouri Power & Light Company (MPL) of the feasibility of rendering direct service from 34.5 kv lines prior to UE's subsidiaries being merged into the parent company. MPL had investigated the possibility of making it a routine practice to extend service directly from 34.5 kv lines to residential, commercial and industrial customers. Although that method of service was demonstrated to be practical, the management of UE has chosen not to adopt it since the merger. The Staff concedes that there is no question that UE does in fact provide service to residential and smaller general service customers directly from 34.5 kv lines, however, the number of customers served in such fashion is quite small in comparison to the total number of UE customers. The Staff contends that since residential and small general service customers being served directly from 34.5 kv lines constitute the exception rather than the rule, only those 34.5 kv lines that directly serve residential and small general service customers could be considered distribution facilities for the purposes of defining UE's service area.

A common form of UE extending retail service is through the use of underbuilding as previously describe' herein. That preferred method of providing service weighs against Staff's apprehensions concerning any obligation of UE to make unrealistically costly extensions. 625 miles or 47 percent of the Company's 34.5 kv lines in the affected areas already are underbuilt with lines of lesser voltage. The Company interprets its tariff to mean that the cost calculated under its extension rule will be based on the method the Company intends to use to render service. As

such, the Company does not acknowledge any obligation to build a substation, but would calculate the cost of extension of being that of lengthening the underbuild. The Company witness indicated that if that possibility remained a concern the Company would be willing to amend its tariff and definitely rule out the consideration of being required to build a substation. The Company witness also attempted to demonstrate why there would be no exposure to making very costly extensions. The cost of extending an underbuild for the 500 feet granted at no charge to the customers, would be approximately \$1,500. UE witnesses are of the opinion that there is little likelihood of receiving service requests from customers willing to pay substantial extension costs. Under the tariff, the cost of any extension beyond 500 feet must be borne by the customer. It is the Company's position, however, that if a potential customer chooses that option the customer should have that right.

The Commission is of the opinion and finds that for the purposes of defining UE's service territory herein, the presence of 34.5 kv or less lines constitutes "distribution facilities". Although the number of retail customers presently served in that fashion is small, the evidence establishes that UE could adopt direct connections to retail customers from 34.5 kv lines by way of the use of a transformer as a practical and cost effective method. The Commission also is of the opinion and finds that the common or general existence of underbuild facilities in connection with 34.5 kv lines establishes that method as a fairly common and cost effective source of extensions. We are of the opinion that the Company's tariff and method of service adequately insulate it from unrealistic costs for extensions. We are also of the opinion and find that the cooperatives' contentions concerning the cost and delivery of equipment, at least for UE's purposes, is unfounded.

However, as to also defining 69 kv lines as distribution facilities, the Commission finds that the record offers little support for the assertion that any

significant number of retail customers are being served directly from facilities of that size, or that they can be practically served from such facilities.

One of the UE witnesses expressed the opinion that there probably exists a transformer that can step down 69 kv voltage to be usable by a residential retail electric customer. However, he had never seen one and had no idea how much one might cost. The Commission finds that possible method of service is so speculative as not to merit further consideration for purposes of this proceeding.

UE's testimony establishes that its customary method of providing retail service from a 69 kv line would necessitate the use of a substation. Only seven customers are served directly from 69 kv lines, without a substation, in the area affected by this proceeding. Likewise, only eight percent of UE's 69 kv lines in the affected areas include underbuilds from which retail service could be provided. At best, these constitute exceptions rather than the rule and should not be the basis for defining boundaries for future retail growth. At worst, such extensions simply may be unreasonable. The Commission, therefore, is of the opinion and finds that generally including UE's 69 kv lines in the definition of "distribution facilities" herein is unreasonable.

The Commission finds, that for the purposes only of clarifying the certificates of public convenience and necessity to be extended to UE in these proceedings, the term "distribution facilities" shall include UE's existing lines of a capacity of 34.5 kv or less along with all existing distribution substations. The certificate, therefore, shall include sections of land in which these facilities are located, plus adjacent sections.

#### Conclusions

The Missouri Public Service Commission has arrived at the following conclusions of law:

UE's brief raises several issues which are either beyond the scope of these proceedings or have been previously considered. As such, the Commission is of the opinion and concludes that it is unnecessary and improper to consider those contentions further. An example is UE's attempt to reopen the issue of granting it a certificate for areas in which it has "facilities" without limitation. As previously stated, the order establishing the sole issue in these proceedings to be the definition of "distribution facilities" was not appealed and is final.

The Commission concludes that the only further activity required in the instant proceeding is for the Applicant to file tariffs and service area maps, for Commission approval, enumerating the entire sections of land in which it had distribution facilities on May 30, 1990, as herein described. The Company's tariffs shall also enumerate partial land sections included and describe any natural or artificial barriers which prohibit service to an entire section.

IT IS THEREFORE ORDERED:

1. That within sixty (60) days from the effective date of this Report and Order, Union Electric Company shall file, for Commission approval, proposed tariff sheets consistent with the findings and conclusions herein.
2. That this Report and Order shall become effective on April 12, 1991.

BY THE COMMISSION



Brent Stewart  
Executive Secretary

(S E A L)

Steinmeier, Chm., Mueller, Rauch,  
McClure and Letsch-Roderique, CC.,  
Concur and certify compliance with the  
provisions of Section 536.080, RSMo 1986.

Dated at Jefferson City, Missouri,  
on this 13th day of March, 1991.

*Dee-Buckta*

EA-87-159  
CASE NO. EA-88-124  


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*WDS*  


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Chairman  
*am?*  


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Commissioner  
*SR*  


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Commissioner  
*UM?*  


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Commissioner  
*RZR?*  


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Commissioner

3/1584c

*c. 12/12*  
*agenda 12/19*

STATE OF MISSOURI  
OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 13th day of March, 1991.

*Brent Stewart*  
Brent Stewart  
Executive Secretary

EA-87-159 ch. d.



William E. Jaudes  
Vice President  
and  
General Counsel

June 10, 1991

**FILED**

JUN 11 1991

**PUBLIC SERVICE COMMISSION**

Mr. Brent Stewart  
Executive Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Dear Mr. Stewart:

The accompanying tariff sheets issued by Union Electric Company are transmitted to you for filing as revisions of Schedule No. 5, Schedule of Rates for Electric Service:

<u>Filed</u>	<u>Canceling</u>
4th Revised Sheet No. 3	3rd Revised Sheet No. 3
2nd Revised Sheet No. 4	1st Revised Sheet No. 4
2nd Revised Sheet No. 5	1st Revised Sheet No. 5
2nd Revised Sheet No. 6	1st Revised Sheet No. 6
3rd Revised Sheet No. 7	2nd Revised Sheet No. 7
2nd Revised Sheet No. 8	1st Revised Sheet No. 8
6th Revised Sheet No. 9	5th Revised Sheet No. 9
4th Revised Sheet No. 10	3rd Revised Sheet No. 10
4th Revised Sheet No. 11	3rd Revised Sheet No. 11
4th Revised Sheet No. 12	3rd Revised Sheet No. 12
5th Revised Sheet No. 13	6th Revised Sheet No. 13
7th Revised Sheet No. 14	6th Revised Sheet No. 14
4th Revised Sheet No. 15	3rd Revised Sheet No. 15
5th Revised Sheet No. 16	4th Revised Sheet No. 16
3rd Revised Sheet No. 17	2nd Revised Sheet No. 17
3rd Revised Sheet No. 18	2nd Revised Sheet No. 18
3rd Revised Sheet No. 19	2nd Revised Sheet No. 19
1st Revised Sheet No. 20	Original Sheet No. 20
1st Revised Sheet No. 21	Original Sheet No. 21
1st Revised Sheet No. 22	Original Sheet No. 22
1st Revised Sheet No. 23	Original Sheet No. 23
Original Sheet No. 24	
Original Sheet No. 25	
Original Sheet No. 26	
Original Sheet No. 26.1	
Original Sheet No. 26.2	

170.

FILE 9100487

Mr. Brent Stewart  
June 10, 1991  
Page 2

Original Sheet No. 26.3  
Original Sheet No. 26.4  
Original Sheet No. 26.5  
Original Sheet No. 26.6  
Original Sheet No. 26.7  
Original Sheet No. 26.8  
Original Sheet No. 26.9  
Original Sheet No. 26.10  
Original Sheet No. 26.11  
Original Sheet No. 26.12  
Original Sheet No. 26.13  
Original Sheet No. 26.14  
Original Sheet No. 26.15  
Original Sheet No. 26.16  
Original Sheet No. 26.17  
Original Sheet No. 26.18  
Original Sheet No. 26.19  
Original Sheet No. 26.20  
Original Sheet No. 26.21  
Original Sheet No. 26.22  
Original Sheet No. 26.23  
Original Sheet No. 26.24  
Original Sheet No. 26.25  
Original Sheet No. 26.26  
Original Sheet No. 26.27  
Original Sheet No. 26.28  
Original Sheet No. 26.29  
Original Sheet No. 26.30

These sheets are being filed in response to the Commission's orders in Case No. EA-87-159, EA-88-124 and EA-89-80; EA-87-159, EA-88-21, EA-88-33 and EA-88-113; EA-87-159 and EA-88-29 and Case No. EA-87-102 and EA-87-159 and Case No. EA-87-85 and EA-87-123. These tariffs describe the Company's Service Territory.

In addition, these tariffs incorporate the Company's Service Territory granted in Case No. EA-87-105 and Case No. 10,092 and describe those areas in the same format as the territory described in response to the above listed cases.

Mr. Brent Stewart  
June 10, 1991  
Page 3

These tariffs are intended to define with more certainty the Company's service territory but not to limit the territory which the Company may have been granted in other case of the Missouri Commission.

These tariffs are issued June 11, 1991, to become effective on or after July 11, 1991.

Any questions relative to the specific changes in these tariffs should be directed to Mr. David Linton at (314) 554-4030

Yours truly,

*William E Jaudes*

cc (w/encl.): Office of the Public Counsel



APPLYING TO MISSOURI SERVICE AREA

**MISSOURI SERVICE AREAS**

The areas listed below comprise the Service Area for Union Electric Company in the State of Missouri:

**ADAIR COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
61 North	13 West	4, 5, 6, 7, 8, 17, 18, 19
61 North	14 West	1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
61 North	15 West	1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 27, 34, 35, 36
61 North	16 West	1, 2, 32, 33, 34, 35
62 North	13 West	7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
62 North	14 West	5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36
62 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
62 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 35, 36
62 North	17 West	1, 2, 3, 11, 12, 13, 24
63 North	14 West	31

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**ADAIR COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
63 North	15 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
63 North	16 West	13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
63 North	17 West	6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
64 North	15 West	19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

**AUDRAIN COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
50 North	7 West	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
50 North	8 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 22, 23, 24
50 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
50 North	10 West	1, 2, 7, 18, 19, 30, 31
50 North	11 West	12, 13, 24, 25, 36
51 North	5 West	5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

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APPLYING TO MISSOURI SERVICE AREA

**AUDRAIN COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
51 North	6 West	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
51 North	7 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 30, 31
51 North	8 West	1, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
51 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
51 North	10 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35, 36
51 North	11 West	12, 13, 24
52 North	5 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 29, 30, 31, 32
52 North	6 West	1, 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
52 North	7 West	22, 23, 24, 25, 26, 27, 32, 33, 34, 35, 36
52 North	11 West	9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34, 35
52 North	12 West	29, 30, 31, 32

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

BOLLINGER COUNTY

Community: Union

BOONE COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	11 West	6
45 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
45 North	13 West	1, 12, 13
46 North	11 West	6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29, 30, 31, 32
46 North	12 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36
48 North	11 West	3, 4, 9, 10, 16
48 North	14 West	5, 6, 7, 8, 17, 18
48 North	15 West	1, 12
49 North	11 West	27, 28, 33, 34
49 North	14 West	31
49 North	15 West	36
49 North	12 West	3, 4, 5, 6, 7, 8, 9, 10
50 North	11 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 22, 23, 26, 27, 34, 35

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE

DATE EFFECTIVE

IA. ST. C.C. DATE OF ISSUE

DATE EFFECTIVE

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER TITLE ADDRESS

P.S.C. MO., ILL. C.C., IA. ST. C.C. SCHEDULE NO. 5

THIRD REVISED SHEET NO. 7

CANCELLING SCHEDULE NO. 5

SECOND REVISED SHEET NO. 7

APPLYING TO

MISSOURI SERVICE AREA

**BOONE COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
50 North	12 West	1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35
51 North	11 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
51 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 34, 35, 36
51 North	13 West	1, 12

**BUTLER COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
24 North	5 East	12, 13, 24
24 North	6 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
24 North	7 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 17, 18
24 North	8 East	3, 4, 5, 6
25 North	6 East	20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
25 North	7 East	24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
25 North	8 East	17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 34

INCLUDING THE CITY LIMITS OF POPLAR BLUFF

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman

St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**CALDWELL COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
55 North	26 West	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36
55 North	27 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
55 North	28 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
55 North	29 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, 27, 32, 33, 34, 35, 36
56 North	26 West	12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36
56 North	28 West	1, 2, 3, 4, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
56 North	29 West	25, 26, 27, 28, 29, 32, 33, 34, 35, 36
57 North	26 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
57 North	27 West	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 30, 31
57 North	28 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**CALDWELL COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
57 North	29 West	1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24

**CALLAWAY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
44 North	10 West	5, 6, 7, 13, 18, 23, 24, 27, 28, 29, 30, U.S. Surveys 1761, 2501, 2690, 2708, 2728
44 North	11 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, U.S. Surveys 2622, 2635
45 North	7 West	5, 6
45 North	8 West	5, 6, 7, 8, 17, 18, 19, U.S. Surveys 1712, 1736
45 North	9 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24
45 North	10 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32
45 North	11 West	1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
46 North	8 West	U.S. Surveys 1712, 1736
46 North	9 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, 36

P.S.C. MO. DATE OF ISSUE June 11, 1991

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**CALLAWAY COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
46 North	10 West	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34
46 North	11 West	9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 34, 35, 36
47 North	9 West	27, 28, 29, 30, 31, 32, 33, 34
47 North	10 West	25, 26, 34, 35, 36
48 North	7 West	8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
48 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
48 North	10 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19
48 North	11 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 23, 24
49 North	9 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
49 North	11 West	25, 26, 27, 34, 35, 36

P.S.C. MO. DATE OF ISSUE June 11, 1991

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ISSUED BY William E. Cornelius

Chairman

St. Louis, Missouri

NAME OF OFFICER

TITLE

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APPLYING TO MISSOURI SERVICE AREA

**CAMDEN COUNTY**

TOWNSHIP      RANGE      SECTIONS/U.S. SURVEYS

All of CAMDEN county which is north of the township line dividing Township 37 North and Township 38 North and east of the Range line dividing Range 17 West and Range 18 West, but excluding Section 31, and such portion of Section 32 as is west of Lake Road 5-27, both in Township 40 North, Range 17 West, and also excluding the incorporated municipalities of Linn Creek, Camdenton, and the Village of Four Seasons.

**CAPE GIRARDEAU COUNTY**

TOWNSHIP      RANGE      SECTIONS/U.S. SURVEYS

29 North	12 East	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 20, 21, 22
29 North	13 East	6
30 North	12 East	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, 31, 32, 33, 35, 36, Surveys 242, 241, 196, 204, 240, 201, 1022, 2283, 674, 2263, 3263, 2245, 318, 2252, 315, 3262, 256, 220, 128
30 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, Surveys 214, 2281, 2190, 2189, 2194, 787, 317, 193, 789, 192, 2238, 175, 2284, 2195, 245, 2204, 217, 234, 3099, 218, 2245, 315, 812, 256, 173, 222, 174, 2243, 2199
30 North	14 East	5, 6, 7, 8, 17, 18, 19, 20, 21
31 North	11 East	Survey 1578

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

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APPLYING TO MISSOURI SERVICE AREA

**CAPE GIRARDEAU COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U. S. SURVEYS</u>
31 North	12 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36, Surveys 307, 216, 327, 1267, 326, 239, 238, 3158, 248, 3046, 2205, 219, 471, 220, 244, 779, 527, 2255, 1266, 3232, 782, 186, 324, 489, 959, 795, 798, 1018, 528, 251, 231, 184, 240, 242, 250, 252, 183, 322, 247, 221, 330, 249, 212, 237, 188, 470, 328, 241
31 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 Surveys 318, 2262, 790, 800, 334, 213, 202, 2277, 788, 235, 7812, 2255, 1266, 782, 237, 240, 1020, 211, 218, 300, 3099, 90, 189, 191, 3314, 3156, 2241, 2199
31 North	14 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, Surveys 3229, 2201, 2200, 2275, 2276, 3091, 2199
32 North	12 East	25, 26, 27, 28, 33, 34, 35, 36, Surveys 248, 3158, 238, 229, 1267, 307, 2138, 3146, 806, 1008, 796, 3235, 1009, 804
32 North	13 East	13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Surveys 2192, 799, 804, 282, 800, 318
32 North	14 East	15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Survey 3229

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

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APPLYING TO MISSOURI SERVICE AREA

CAPE GIRARDEAU COUNTY (Cont'd.)

TOWNSHIP RANGE SECTIONS/U.S. SURVEYS

INCLUDING THE CITY LIMITS OF CAPE GIRARDEAU

EXCLUDING THE CITY LIMITS OF JACKSON

CARROLL COUNTY

TOWNSHIP RANGE SECTIONS/U.S. SURVEYS

55 North 25 West 6

CLARK COUNTY

TOWNSHIP RANGE SECTIONS/U.S. SURVEYS

64 North	5 West	3, 4, 5, 6, 7, 8, 9, 17, 18, 19, 20
64 North	6 West	4, 5, 6
64 North	8 West	1, 2, 3, 4, 5, 6
64 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 18
65 North	5 West	31, 32, 33, 34
65 North	6 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
65 North	7 West	1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31
65 North	8 West	6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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APPLYING TO MISSOURI SERVICE AREA

**CLARK COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
65 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
66 North	6 West	31, 32
66 North	7 West	15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
66 North	9 West	31, 32, 33, 34, 35

**CLAY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
51 North	30 West	1, 2
52 North	30 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 35, 36
52 North	31 West	1, 2, 3, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, also that portion of section 35 lying northwest of a line described as beginning at the southwest corner of section 35 thence running in a northeasterly direction to the northeast corner of section 35
53 North	30 West	1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

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APPLYING TO MISSOURI SERVICE AREA

CLAY COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
53 North	31 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
54 North	30 West	31, 33, 34, 35, 36
54 North	31 West	33, 34, 35, 36

CLINTON COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
54 North	30 West	6, 25, 26, 27, 30
54 North	31 West	1, 2, 3, 4, 5, 6, 7, 8, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
54 North	32 West	1, 2, 11, 12, 13, 24, 25
55 North	30 West	6, 7, 19, 20, 29, 30, 31, 32
55 North	31 West	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
55 North	32 West	1, 2, 11, 12, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
56 North	30 West	19, 20, 29, 30, 31, 32
56 North	31 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
56 North	32 West	23, 24, 25, 26, 35, 36
57 North	30 West	19, 20, 21, 22, 23, 24

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

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APPLYING TO MISSOURI SERVICE AREA

**CLINTON COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
57 North	31 West	21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36

**COLE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
41 North	12 West	2, 3, 4, 5
42 North	11 West	7, 18, 19
42 North	12 West	10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
42 North	13 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
43 North	10 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18
43 North	11 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24
43 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 17, 18, 19, 24, 30
43 North	13 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34
43 North	14 West	1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36
44 North	10 West	10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 34, U.S. Survey 2611, 2616

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

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APPLYING TO

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**COLE COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
44 North	11 West	6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	13 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	14 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35, 36
45 North	12 West	7, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
45 North	13 West	7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
45 North	14 West	11, 12, 13, 14, 23, 24, 25, 26, 27, 34, 35, 36

**COOPER COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	17 West	2, 3, 4, 5, 6
45 North	18 West	1, 2, 3, 4
45 North	19 West	2, 3, 4, 5, 26, 27, 28, 29, 32, 33, 34, 35

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

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TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**COOPER COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
46 North	17 West	3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
46 North	18 West	1, 2, 11, 12
47 North	15 West	4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33
47 North	16 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 23, 24, 25, 36
47 North	17 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34
47 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 23, 24, 25, 26, 35, 36
47 North	19 West	1
48 North	15 West	18, 19, 20, 21, 28, 29, 30, 31, 32, 33
48 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36
48 North	17 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32
48 North	18 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 34, 35, 36
48 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 36
49 North	16 West	31, 32, 33, 34, 35, 36

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER TITLE ADDRESS



APPLYING TO MISSOURI SERVICE AREA

COOPER COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
49 North	17 West	32, 33, 34, 35, 36
49 North	18 West	7, 18, 19, 30, 31
49 North	19 West	10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36

CRAWFORD COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
40 North	4 West	16, 17, 18, 19, 20, 21
40 North	5 West	13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24

DAVISS COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
58 North	28 West	5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32
58 North	29 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, 34, 35, 36
59 North	28 West	19, 20, 29, 30, 31, 32
59 North	29 West	1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
60 North	27 West	7, 8, 17, 18, 19, 20, 29, 30
60 North	28 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

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NAME OF OFFICER TITLE ADDRESS

APPLYING TO MISSOURI SERVICE AREA

DAVISS COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
60 North	29 West	10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
61 North	27 West	6, 7, 18
61 North	28 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31
61 North	29 West	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
62 North	27 West	31
62 North	28 West	31, 32, 33, 34, 35, 36
62 North	29 West	31, 32

DEKALB COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
57 North	30 West	1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18
57 North	31 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16
58 North	30 West	3, 4, 5, 6
58 North	31 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
58 North	32 West	1, 2, 11, 12, 13, 14

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DEKALB COUNTY (Cont'd.)

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
59 North	30 West	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
59 North	31 West	1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
59 North	32 West	23, 24, 25, 26, 35, 36
60 North	30 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
60 North	31 West	22, 23, 24, 25, 26, 27, 34, 35, 36

DUNKLIN COUNTY

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
16 North	7 East	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18
16 North	8 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18
16 North	9 East	4, 5, 6, 7, 8, 9, 16, 17, 18
17 North	7 East	24, 25, 33, 34, 35, 36
17 North	8 East	1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
17 North	9 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**DUNKLIN COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
18 North	8 East	35, 36
18 North	9 East	31, 32, 33, 34, 35
23 North	10 East	21, 22, 27, 28

**FRANKLIN COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
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All of FRANKLIN COUNTY in its entirety

**GASCONADE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
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All of GASCONADE COUNTY in its entirety

**GENTRY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
61 North	30 West	1, 2, 11, 12, 13, 14, 24
62 North	30 West	35, 36

**HOWARD COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
48 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, U.S. Survey 2436
48 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 11, 12, U.S. Surveys 1725, 2444, 2481, 2557

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

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APPLYING TO MISSOURI SERVICE AREA

HOWARD COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
48 North	17 West	1, 12
49 North	15 West	7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, U.S. Surveys 2435, 2607, 2909
49 North	16 West	4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, U.S. Surveys 1725, 2438, 2444, 2451, 2481, 2521, 2552, 2557, 2576, 2594, 2598, 2646, 2661, 2709, 2891
49 North	17 West	12, 13, 24, 25, 36, U.S. Surveys 2471, 3181
50 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 17, 18
50 North	16 West	10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, U.S. Surveys 2458, 2466, 2474, 2560, 2644, 2645, 2743, 2791, 2822, 2881, 2913, 2917
51 North	14 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31
51 North	15 West	1, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
51 North	16 West	25, 36
52 North	14 West	28, 29, 31, 32, 33, 34

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IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
NAME OF OFFICER TITLE ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**JEFFERSON COUNTY**

All of JEFFERSON COUNTY in its entirety.

**KNOX COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
60 North	10 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27
60 North	12 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24
61 North	10 West	1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 23, 24, 25, 26, 34, 35, 36
61 North	11 West	1, 2, 3, 4, 5, 6,
61 North	12 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36
61 North	13 West	1, 2, 3
62 North	10 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
62 North	11 West	5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
62 North	12 West	1, 2, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
62 North	13 West	11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36
63 North	10 West	3, 4, 5, 6

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER TITLE ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**KNOX COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
63 North	11 West	1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
63 North	12 West	1, 2, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36

**LEWIS COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
60 North	5 West	6, 7, 18, 19
60 North	6 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24, 28, 29, 30, 31, 32, 33
60 North	7 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
60 North	8 West	1, 2, 3, 10, 11, 12, 13, 14, 24, 25
60 North	9 West	5, 6, 7, 18, 19, 30
61 North	5 West	19, 30, 31
61 North	6 West	1, 2, 3, 4, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
61 North	7 West	4, 5, 6, 7, 8, 9, 17, 18, 19, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
61 North	8 West	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36

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 ILL. C.C. DATE OF ISSUE \_\_\_\_\_ DATE EFFECTIVE \_\_\_\_\_  
 IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_ DATE EFFECTIVE \_\_\_\_\_  
 ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
 NAME OF OFFICER TITLE ADDRESS

APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

LEWIS COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
61 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, 30, 31, 32
62 North	6 West	21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
62 North	7 West	28, 29, 30, 31, 32, 33
62 North	8 West	25, 36
62 North	9 West	19, 20, 28, 29, 30, 31, 32, 33, 34, 35

LINCOLN COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
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All of LINCOLN COUNTY in its entirety

LINN COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
57 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
57 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22
57 North	20 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24
57 North	21 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
57 North	22 West	1, 2, 3, 10, 15

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

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APPLYING TO \_\_\_\_\_ MISSOURI SERVICE AREA

LINN COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
58 North	18 West	25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
58 North	19 West	6, 7, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
58 North	20 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 31, 32, 33, 34, 35, 36
58 North	21 West	1, 12, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
58 North	22 West	25, 26, 27, 34, 35, 36
59 North	18 West	1, 2, 11, 12, 13, 14
59 North	19 West	31
59 North	20 West	28, 29, 30, 31, 32, 33, 34, 35, 36
59 North	21 West	36
60 North	18 West	35, 36

LIVINGSTON COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
56 North	24 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21
56 North	25 West	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
57 North	22 West	4, 5, 6, 7, 8, 9, 16, 17, 18

P.S.C. MO. DATE OF ISSUE June 11, 1991 DATE EFFECTIVE August 10, 1991

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
NAME OF OFFICER TITLE ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**LIVINGSTON COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
57 North	23 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, southern one-half 19
57 North	24 West	9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
57 North	25 West	6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 35, 36
58 North	22 West	28, 29, 30, 31, 32, 33
58 North	23 West	25, 32, 33, 34, 35, 36

**MACON COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
56 North	14 West	2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36
56 North	15 West	2, 3, 4, 5
57 North	13 West	1, 12, 13, 24
57 North	14 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34, 35
57 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
57 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 24

P.S.C. MO. DATE OF ISSUE June 11, 1991 DATE EFFECTIVE August 10, 1991

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
 NAME OF OFFICER TITLE ADDRESS

APPLYING TO

MISSOURI SERVICE AREA

MACON COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
57 North	17 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18
58 North	14 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27, 28, 29, 31, 32, 33, 34, 35
58 North	15 West	29, 30, 31, 32
58 North	16 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36
58 North	17 West	1, 12, 13, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
59 North	14 West	4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
59 North	15 West	1, 6, 7, 13, 24, 25, 36
59 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 33
59 North	17 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 22, 23, 24, 25, 26, 27, 34, 35, 36
60 North	14 West	6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
60 North	15 West	1, 2, 3, 10, 11, 12, 13, 19, 24, 25, 30, 31, 36
60 North	16 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

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APPLYING TO MISSOURI SERVICE AREA

**MACON COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
60 North	17 West	27, 28, 29, 31, 32, 33, 34, 35, 36

**MADISON**

Communities:

Castor  
Mine LaMotte  
Polk

**MARIES COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
39 North	9 West	4, 5, 6, 7, 8, 9

Also, all that part of Sections 2, 3 and 10 lying West of the Gasconade River.

39 North	10 West	1, 2, 3, 4, 9, 10, 11, 12
40 North	7 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	8 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	9 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	10 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

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CANCELLING SCHEDULE NO. 5 ALL PRECEDING SCHEDULES SHEET NO.

APPLYING TO MISSOURI SERVICE AREA

MARIES COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
40 North	11 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	7 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	8 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	9 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	10 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	11 West	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

MARION COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
59 North	6 West	4, 5, 6
59 North	7 West	1, 2, 3

MILLER COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
38 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18
38 North	15 West	1, 2, 12

P.S.C. MO. DATE OF ISSUE June 11, 1991 DATE EFFECTIVE August 10, 1991

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

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APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

MILLER COUNTY (cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
39 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
39 North	15 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36
40 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	13 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40 North	16 West	1, 2, 3, 10, 11, 12, 13, 14, 15
41 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	13 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

MILLER COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
41 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
41 North	16 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36
42 North	12 West	31
42 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
42 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

MISSISSIPPI COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
24 North	15 East	1, 2, 3, 10, 11, 12, Survey 3187
24 North	16 East	4, 5, 6, 7
25 North	15 East	1, 12, 13, 14, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
25 North	16 East	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33

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IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**MISSISSIPPI COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
26 North	14 East	13, 24, 26, 35
26 North	15 East	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 24, 25, 36
26 North	16 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
27 North	15 East	25, 26, 34, 35, 36
27 North	16 East	31, 32, 33, 34, 35

**MONITEAU COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
43 North	14 West	4, 5, 6, 7, 8, 9, 17, 18, 20, 31
43 North	15 West	1, 12, 13, 31, 32, 33, 34, 35, 36
44 North	14 West	3, 4, 5, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
44 North	15 West	24, 25, 36
44 North	17 West	2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 17, 21, 22, 23
45 North	14 West	11, 14, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34
45 North	15 West	15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
45 North	16 West	7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
NAME OF OFFICER TITLE ADDRESS



APPLYING TO MISSOURI SERVICE AREA

**MONITEAU COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	17 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36
46 North	14 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21
46 North	15 West	1, 2, 12, 13
47 North	14 West	18, 19, 29, 30, 31, 32, 33, 34
47 North	15 West	13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36

**MONROE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
54 North	11 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19
54 North	12 West	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
55 North	11 West	26, 27, 28, 31, 32, 33, 34, 35
55 North	12 West	34, 35, 36

**MONTGOMERY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	5 West	5, 6
45 North	6 West	1, 2, 3, 4, 5, 11, 12

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MISSOURI SERVICE AREA

MONTGOMERY COUNTY (Cont'd.)

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
46 North	5 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
46 North	6 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
47 North	3 West	5, 6, 7, 8
47 North	4 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
47 North	5 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
47 North	6 West	2, 3, 4, 5, 6, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
48 North	3 West	29, 30, 31, 32
48 North	4 West	18, 19, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
48 North	5 West	3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
48 North	6 West	1, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
49 North	3 West	7, 8, 17, 18, 19, 20, 29, 30

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MISSOURI SERVICE AREA

**MONTGOMERY COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
49 North	4 West	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29
49 North	5 West	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 27, 28, 29, 30, 31, 32, 33, 34
49 North	6 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, 26, 27, 35, 36
50 North	3 West	5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32
50 North	4 West	1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 23, 24, 29, 30, 31
50 North	5 West	1, 2, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
50 North	6 West	2, 3, 4, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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MISSOURI SERVICE AREA

**MORGAN COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
40 North	16 West	All that part of Sections 4, 5, 6, 7, 8, 9, 16, 17 & 18 lying northeasterly of the following described line: Commencing at the Northwest corner of said Section 6; thence South along the West line of said Section 6 to the center line of the Gravois Branch of the Lake of the Ozarks and the point of beginning for this description; thence in a meandering southeasterly direction along the center line of said Gravois Branch to the center line of the Osage River (Lake of the Ozarks); thence easterly along the center line of said Lake of the Ozarks to a point of termination at the intersection of the Morgan-Miller County line.
40 North	17 West	All that part of Section 1 lying easterly of the following described line: Commencing at the Northeast corner of said Section 1; thence West along the North line of said Section 1 to the center line of the Gravois Branch of the Lake of the Ozarks and the point of beginning for this description; thence in a meandering southeasterly direction along the center line of said Gravois Branch to a point of termination on the East line of said Section 1.
41 North	16 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33

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ISSUED BY William E. Cornelius Chairman

St. Louis, Missouri

APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

MORGAN COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
41 North	17 West	All that part of Sections 23, 24, 25, 26, 35 and 36 lying easterly of the following described line: Commencing at the Northeast corner of said Section 24; thence West along the North line of said Section 24 to the center line of a cove in the Indian Creek arm of the Lake of the Ozarks and the point of beginning for this description; thence in a southwesterly direction along the center line of said cove to the center line of the Indian Creek Branch of the Lake of the Ozarks; thence in a meandering southwesterly direction along the center line of the Indian Creek Branch of the Lake of the Ozarks to the center line of the Gravois Branch of the Lake of the Ozarks; thence in a meandering southeasterly direction along the center line of said Gravois Branch to a point of termination on the South line of said Section 36.
42 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
42 North	17 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
42 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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St. Louis, Missouri

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**MORGAN COUNTY (Con't.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U. S. SURVEYS</u>
42 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
43 North	16 West	6, 7, 8, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
43 North	17 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
43 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
43 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	17 West	7, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
44 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
45 North	18 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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APPLYING TO MISSOURI SERVICE AREA

**MORGAN COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	19 West	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

**NEW MADRID COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
22 North	11 East	1, 11, 12, 13, 14, 24
22 North	12 East	1, 2, 6, 7, 8, 18
22 North	13 East	1, 2, 3, 4, 11, 12, Survey 28
22 North	14 East	Survey 1101
23 North	10 East	23, 24, 25, 26, 35, 36
23 North	11 East	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 36
23 North	12 East	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
23 North	13 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Surveys 22, 1057, 256
23 North	14 East	1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 14, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, Surveys 722, 2988, 685, 609, 1179, 1174, 1178, 1175, 1173, 578, 605, 608, 647, 27, 260, 274, 691, 22, 1057, 256, 1101, 357, 1134, 1120
23 North	15 East	6

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MISSOURI SERVICE AREA

NEW MADRID COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
24 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
24 North	14 East	4, 5, 6, 7, 8, 13, 17, 18, 23, 24, 25, 26, 27, 33, 34, 35, 36
24 North	15 East	4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32
25 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Surveys 55, 254, 45, 568, 541, 567, 1128, 628, 589
25 North	14 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33, Surveys 619, 627, 254, 45, 568, 541, 1045, 629, 567, 1128, 1047, 628, 1189, 620, 589, 1092, 55
26 North	13 East	31, 32, 33, 34, 35, 36, Surveys 55, 59
26 North	14 East	27, 28, 29, 30, 31, 32, 33, 34, Surveys 643, 1127, 39, 619, 55, 59

INCLUDING THE CITY LIMITS OF SIKESTON

EXCLUDING THE CITY LIMITS OF NEW MADRID

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APPLYING TO MISSOURI SERVICE AREA

**OSAGE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
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All of OSAGE COUNTY except for the following:

41 North	9 West	1, 12, 13
42 North	9 West	25, 29, 30, 36
42 North	10 West	25, 26, 27, 28, 29, 30
42 North	11 West	25, 26, 27, 28, 29

**PETTIS COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
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45 North	20 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
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**PIKE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
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51 North	3 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
51 North	4 West	12, 13, 24, 25, 35, 36, all that part of Sections 26, 33, and 34 lying East of the center line of Missouri State Route No. 161
52 North	1 East	1, 2, 4, 5, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, and U.S. Surveys 1638, 1702, 1709, 1737, 1755, 3131

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NAME OF OFFICER TITLE ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**PIKE COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
52 North	2 East	3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, and U.S. Survey 1737
52 North	1 West	1, 2, 3, 5, 6, 8, 9, 11, 13, 14, 16, 17, 20, 21, 24, 25, and U.S. Surveys 1638, 1685, 1702, 1708, 1762, 3131
52 North	2 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and U.S. Surveys 1685, 1708, 1717, 1727, 1728, 1759, 1818, 3016
52 North	3 West	1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 20, 21, 22, 24, 25, 27, 28, 29, 32, 33, 34, 35, 36, and U.S. Surveys 1713, 1714, 1715, 1759, 1818
52 North	4 West	5, 6
52 North	5 West	1, 2
53 North	1 East	6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 30, 31, 32, 35, 36, and U.S. Surveys 1702, 1709, 1755, 1758
53 North	2 East	30, 31, 32
53 North	1 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and U.S. Survey 1762
53 North	2 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

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PIKE COUNTY (Cont'd.)

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
53 North	3 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
53 North	4 West	1, 2, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
53 North	5 West	1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, 36
54 North	1 West	7, 17, 18, 19, 20, 21, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	2 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	3 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	4 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 24
55 North	2 West	6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
55 North	3 West	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
55 North	4 West	22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman

St. Louis, Missouri

P.S.C. MO., ILL. C.C., IA. ST. C.C. SCHEDULE NO. 5

ORIGINAL SHEET NO. 26.20

CANCELLING SCHEDULE NO. 5

ALL PRECEDING SCHEDULES SHEET NO. \_\_\_\_\_

APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

**RALLS COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
53 North	5 West	26, 27, 28, 29, 32, 33, 34, 35
54 North	5 West	4, 5, 6, 7, 8, 9, 18
54 North	6 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 29, 30, 31
54 North	7 West	12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36
55 North	4 West	4, 5, 6, 9, 10, 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, U.S. Surveys 3076, 3240
55 North	5 West	1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, U.S. Surveys 1752, 1753, 2854, 3076, 3240, 3243, 3286
55 North	6 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36
56 North	3 West	7, 17, 18, 19, 20, 21, 27, 28, 29, 30, U.S. Survey 1809
56 North	4 West	1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, U.S. Survey 3076
56 North	5 West	17, 18, 19, 20, 24, 25, 29, 30, 31, 35, 36, U.S. Survey 3239, 3243
56 North	6 West	4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

P.S.C. MO., ILL. C.C., IA. ST. C.C. SCHEDULE NO. 5

ORIGINAL

SHEET NO. 26.21

CANCELLING SCHEDULE NO. 5

ALL PRECEDING SCHEDULES

SHEET NO. \_\_\_\_\_

MISSOURI SERVICE AREA

APPLYING TO \_\_\_\_\_

RANDOLPH COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U. S. SURVEYS</u>
52 North	13 West	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
52 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 33, 34
52 North	15 West	1, 12, 13, 24, 25
53 North	13 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 28, 29, 30, 31, 32, 33
53 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
53 North	15 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 23, 24
53 North	16 West	1, 10, 11, 12, 13, 14, 15
54 North	13 West	6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
54 North	14 West	1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	15 West	6, 7, 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	16 West	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, east one half 35, 36
55 North	13 West	30, 31

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

P.S.C. MO. ILL. C.C. IA. ST. C.C. SCHEDULE NO. 5

ORIGINAL

SHEET NO. 26.22

CANCELLING SCHEDULE NO. 5

ALL PRECEDING SCHEDULES

SHEET NO. \_\_\_\_\_

MISSOURI SERVICE AREA

APPLYING TO \_\_\_\_\_

**RANDOLPH COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
55 North	14 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36
55 North	15 West	9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 34, 35, 36
55 North	16 West	25, 26, 35, 36

**RAY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
51 North	29 West	6
52 North	28 West	2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
52 North	29 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 29, 30, 31
53 North	28 West	26, 27, 28, 29, 30, 31, 32, 33, 34, 35
53 North	29 West	2, 3, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
54 North	28 West	5, 6, 7
54 North	29 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman

St. Louis, Missouri

APPLYING TO

MISSOURI SERVICE AREA

**ST. CHARLES COUNTY**

TOWNSHIP            RANGE            \_\_\_\_\_ SECTIONS/U.S. SURVEYS

All of ST. CHARLES COUNTY in its entirety, except such portion of the city of Lake Saint Louis as is within the city limits of the city as it existed on April 21, 1986.

**ST. FRANCOIS COUNTY**

Incorporated Communities: Bonne Terre

- Desloge
- Elvins
- Esther
- Fairview Acres
- Federal
- Flat River
- Leadington
- Leadwood
- Rivermines

Townships:

- Big River
- Iron
- Liberty
- Marion
- Pendleton
- Perry
- Randolph
- St. Francois

**STE. GENEVIEVE COUNTY**

Communities:

- Jackson
- Saline
- Union

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius

Chairman

St. Louis, Missouri

APPLYING TO MISSOURI SERVICE AREA

**ST. LOUIS COUNTY**

**Incorporated Communities:**

Ballwin	Flordell Hills	Peerless Park
Bella Villa	Florissant	Pine Lawn
Bellefontaine	Frontenac	Richmond
Neighbors	Glendale	Heights
Bellerive	Glen Echo Park	Riverview
Bel-Nor	Grantwood Village	Rock Hill
Bel-Ridge	Greendale	St. Ann
Berkeley	Hanley Hills	St. George
Beverly Hills	Hazelwood	St. John
Black Jack	Hillsdale	Shrewsbury
Breckenridge Hills	Huntleigh	Sunset Hills
Brentwood	Jennings	Sycamore Hills
Bridgeton	Kinloch	Times Beach
Bridgeton Terrace	Kirkwood	Town and
Calverton Park	Ladue	Country
Champ	Lakeshire	Twin Oaks
Charlack	MacKenzie	University City
Clarkson Valley	Manchester	Uplands Park
Clayton	Maplewood	Valley Park
Cool Valley	Marlborough	Velda Village
Country Club Hills	Moline Acres	Velda Village
Country Life Acres	Normandy	Hills
Crestwood	Northwoods	Vinita Park
Creve Coeur	Norwood Court	Vinita Terrace
Crystal Lake Park	Oakland	Warson Woods
Dellwood	Olivette	Webster Groves
Des Peres	Overland	Wellston
Edmundson	Pacific	Westwood
Ellisville	Pagedale	Wilbur Park
Eureka	Pasadena Hills	Winchester
Fenton	Pasadena Park	Woodson Terrace
Ferguson		

**Townships:**

Airport	Gravois	Missouri River
Bonhomme	Hadley	Normandy
Clayton	Jefferson	Northwest
Concord	Lemay	Queeny
Creve Coeur	Lewis & Clark	St. Ferdinand
Ferguson	Meramec	Spanish Lake
Florissant	Midland	

P.S.C. MO. DATE OF ISSUE June 11, 1991

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IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS



APPLYING TO \_\_\_\_\_

MISSOURI SERVICE AREA

**CITY OF ST. LOUIS**

All of the CITY OF ST. LOUIS in its entirety.

**SALINE COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
48 North	20 West	1
49 North	19 West	7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 29, 30, 31
49 North	20 West	24, 25, 36

**SCHUYLER COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S.SURVEYS</u>
64 North	14 West	4, 5, 6
64 North	15 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
65 North	13 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19
65 North	14 West	1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
65 North	15 West	14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36
66 North	13 West	7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
66 North	14 West	36

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

P.S.C. MO., ILL. C.C., IA. ST. C. SCHEDULE NO. 5

ORIGINAL

CANCELLING SCHEDULE NO. 5

ALL PRECEDING SCHEDULES SHEET NO. \_\_\_\_\_

MISSOURI SERVICE AREA

APPLYING TO \_\_\_\_\_

SCOTLAND COUNTY

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
64 North	10 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
64 North	11 West	23, 24, 25, 26, 27, 34, 35, 36
65 North	10 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 24, 25, 32, 33, 34, 35, 36
65 North	13 West	3
66 North	10 West	31, 32, 33, 34, 35, 36
66 North	13 West	15, 22, 27, 34

SCOTT COUNTY

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
26 North	13 East	1, 2, 3, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, Surveys 626, 1077
26 North	14 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30
26 North	15 East	6, 7
27 North	12 East	1, 12, 13, 24, 25
27 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 35, 36, Surveys 69, 46, 1093, 434, 1096, 633, 626

P.S.C. MO. DATE OF ISSUE June 11, 1991

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IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO

MISSOURI SERVICE AREA

SCOTT COUNTY (Cont'd.)

TOWNSHIP	RANGE	SECTIONS/U.S. SURVEYS
27 North	14 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
27 North	15 East	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 20, 21, 22, 23, 27, 28, 29, 32, 33
28 North	12 East	1, 2, 11, 12, 13, 14, 24, 25
28 North	13 East	1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Surveys 638, 639
28 North	14 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Survey 1014
28 North	15 East	31, 32
29 North	12 East	12, 13, 14, 23, 24, 25, 26, 34, 35, 36
29 North	13 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 30, 31, 35, 36, Surveys 185, 2191
29 North	14 East	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, Surveys 321, 215, 198, 185, 2191
29 North	15 East	19, 30
30 North	13 East	25, 26, 33, 34, 35, 36, Surveys 185, 2191

P.S.C. NO. DATE OF ISSUE June 11, 1991

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**SCOTT COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
30 North	14 East	26, 27, 28, 29, 30, 31, 32, 33, 34, Surveys 2191, 197, 226, 794, 185

INCLUDING THE CITY LIMITS OF SIKESTON, MINER, AND SCOTT CITY

**SHELBY COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
57 North	12 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30
58 North	10 West	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
58 North	11 West	5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
58 North	12 West	1, 2, 10, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36
59 North	10 West	19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34
59 North	11 West	17, 18, 19, 20, 29, 30, 31, 32
59 North	12 West	13, 14, 23, 24, 25, 26, 35, 36

P.S.C. NO. DATE OF ISSUE June 11, 1991

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DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER TITLE ADDRESS

MISSOURI SERVICE AREA

APPLYING TO \_\_\_\_\_

STODDARD COUNTY

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
23 North	10 East	3, 4, 5, 8, 9, 10, 14, 15, 16
23 North	11 East	13, 14, 15, 16, 17, 18
23 North	12 East	1, 2, 11, 12, 13, 14, 15, 18
24 North	8 East	3
24 North	9 East	3, 4, 5, 6, 7, 8, 9, 10
24 North	10 East	1, 2, 3, 4, 5, 6, 9, 10, 11, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34
24 North	12 East	25, 26, 35, 36
25 North	8 East	13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
25 North	9 East	2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36
25 North	10 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
25 North	11 East	1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
25 North	12 East	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 30
26 North	10 East	25, 26, 27, 28, 31, 32, 33, 34, 35, 36
26 North	12 East	25, 26, 32, 33, 34, 35, 36

P.S.C. NO. DATE OF ISSUE June 11, 1991

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IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

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ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

P.S.C. MO., ILL. C.C., IA. ST. C.C. SCHEDULE NO. 5

ORIGINAL

SHEET NO. 26 of 30

CANCELLING SCHEDULE NO. 5

ALL PRECEDING SCHEDULES

SHEET NO. \_\_\_\_\_

APPLYING TO MISSOURI SERVICE AREA

**STODDARD COUNTY (Cont'd.)**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
26 North	13 East	30

INCLUDING THE CITY LIMITS OF DEXTER

**SULLIVAN COUNTY**

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
63 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 35, 36
63 North	19 West	1, 12, 13, 14, 23, 24, 25, 26
64 North	18 West	32, 33, 34

**WARREN COUNTY**

All of WARREN COUNTY in its entirety.

**WASHINGTON COUNTY**

Communities: Johnson  
Breton

P.S.C. MO. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri

NAME OF OFFICER

TITLE

ADDRESS

APPLYING TO MISSOURI SERVICE AREA

**MICROWAVE TOWERS**

The areas listed below comprise additional Microwave tower sites for Union Electric Company in the State of Missouri:

BAKERSVILLE SITE

A tract of land 355 feet by 350 feet located in the North 1/2 of the Southeast 1/4 of Section 3, Township 18 North, Range 10 East, described as follows:

Beginning at the point of intersection of the east right-of-way line of State Highway NN with the south line of said North 1/2 of the Southeast 1/4 of Section 3; thence east along said south line of the North 1/2 of the Southeast 1/4 of Section 3, 355 feet; thence north and perpendicular to the last line, 350 feet; thence west and parallel with said south line of the North 1/2 of the Southeast 1/4 of Section 3, 355 feet, more or less, to the east right-of-way line of Highway NN; thence south along said east Highway right-of-way line, 350 feet, more or less, to the point of beginning, containing 2.85 acres, more or less.

Grantor reserves the right to plant, cultivate, and harvest crops on the above described easement area; provided, however, such use shall not be inconsistent with the rights herein granted. Grantee shall be responsible for crop damages on the Easement Area resulting from the construction, operation, and maintenance of Grantee's facilities and shall reimburse the property owner thereof for such loss or damage.

VALLEY RIDGE SITE

Commencing at the Northeast corner of the Northeast 1/4 of Section 23, Township 22 North, Range 9 East; thence South 124 rods; thence West 40 rods; thence North 250 feet to the point of beginning of the herein described Easement Area, said point also being the Northwest corner of property described in deed dated March 11, 1985, and recorded in Book 274, Page 400 of the Records Office of Dunklin County, Missouri; thence continuing North 325 feet; thence East 200 feet; thence South 325 feet; thence West 200 feet to the point of beginning, containing 1.5 acres more or less.

P.S.C. MO. DATE OF ISSUE	<u>June 11, 1991</u>	DATE EFFECTIVE	<u>August 10, 1991</u>
ILL. C.C. DATE OF ISSUE	_____	DATE EFFECTIVE	_____
IA. ST. C.C. DATE OF ISSUE	_____	DATE EFFECTIVE	_____
ISSUED BY	<u>William E. Cornelius</u>	Chairman	<u>St. Louis, Missouri</u>
	NAME OF OFFICER	TITLE	ADDRESS

APPLYING TO MISSOURI SERVICE AREA

Together with an access road easement, fifteen (15) feet in width extending southerly from the above-described Easement Area across said property recorded in Book 274, Page 400, to the Northerly right-of-way line of County Road Number 206.

P.S.C. No. DATE OF ISSUE June 11, 1991

DATE EFFECTIVE August 10, 1991

ILL. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

IA. ST. C.C. DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY William E. Cornelius Chairman St. Louis, Missouri  
NAME OF OFFICER TITLE ADDRESS



STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 9th  
day of August, 1991.

In the matter of the application of            )  
Union Electric Company.                        )     CASE NO. EA-87-159

ORDER APPROVING TARIFFS

By Supplemental Report and Order issued herein and effective April 12, 1991, the Commission directed Union Electric Company (Union Electric) to file tariffs and service area maps, for Commission approval, reflecting a certificate granted to Union Electric.

On June 11, 1991, Union Electric filed tariffs and maps to comply with the Supplemental Report and Order. By letter received July 5, 1991, Union Electric extended the proposed effective date of the tariffs to August 10, 1991, to permit further Staff review. On August 8, 1991, substitute sheets were filed to include Staff's suggested changes.

The Commission's Energy Department Staff has now completed its review of the tariffs substituted and has filed a recommendation of approval. Staff's recommendation of approval states that in addition to the tariffs filed in response to the Commission's Supplemental Report and Order, new tariffs and maps were included to describe in the same format the territory granted in Case No. EA-87-105 and 10,092.

In the Commission's opinion the Staff's recommendation should be adopted in disposition of this matter.

IT IS THEREFORE ORDERED:

1. That all substitute tariff sheets and accompanying maps filed by Union Electric Company on August 8, 1991, for the purpose of depicting the Company's authorized service territory be approved on the proposed effective date of August 10, 1991.
2. That this Order shall become effective on August 10, 1991.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

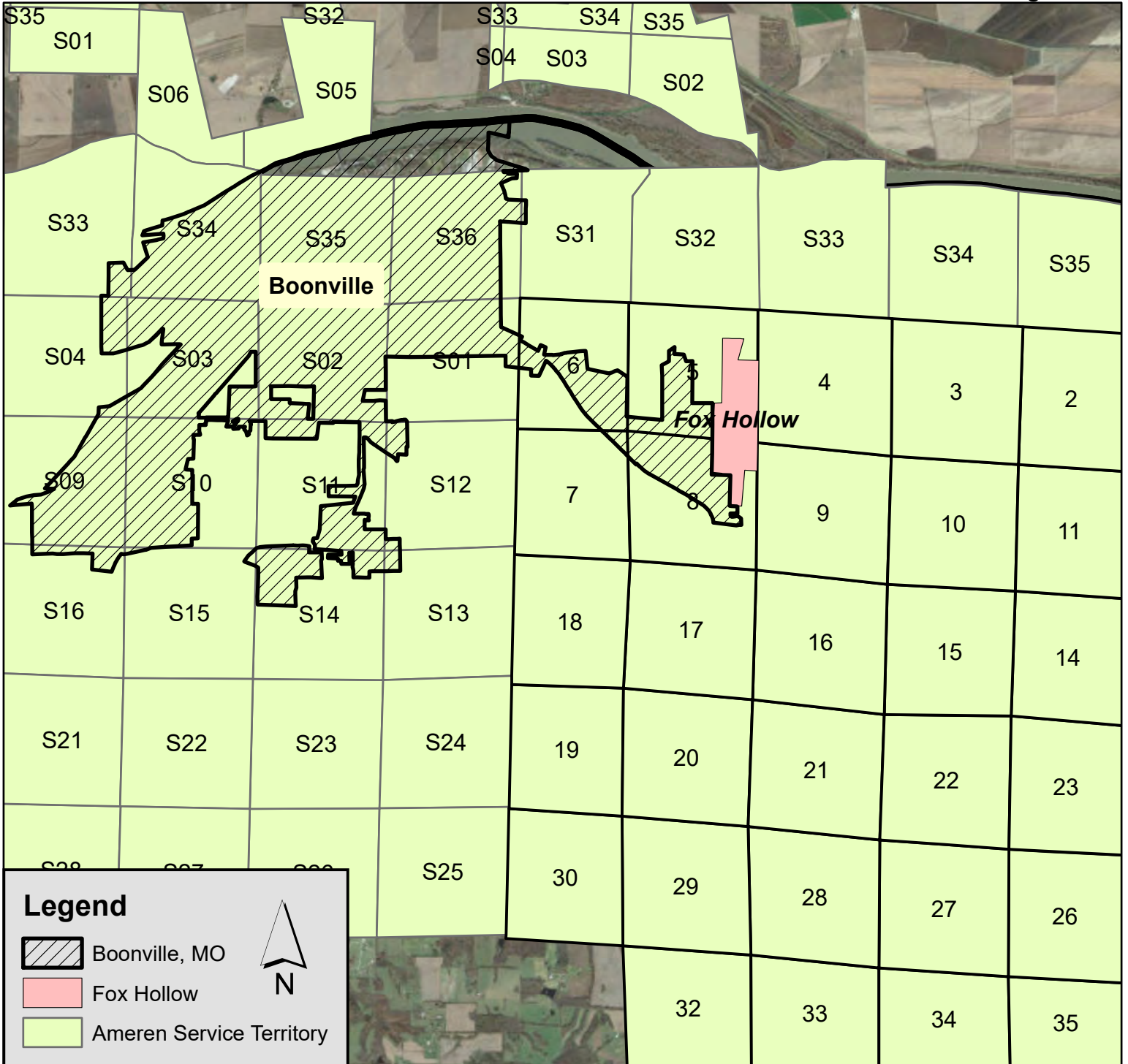
Steinmeier, Chm., Rauch, and  
McClure, CC., Concur.  
Mueller and Perkins, CC.,  
Absent.

MISSOURI SERVICE AREAS (Cont'd.)

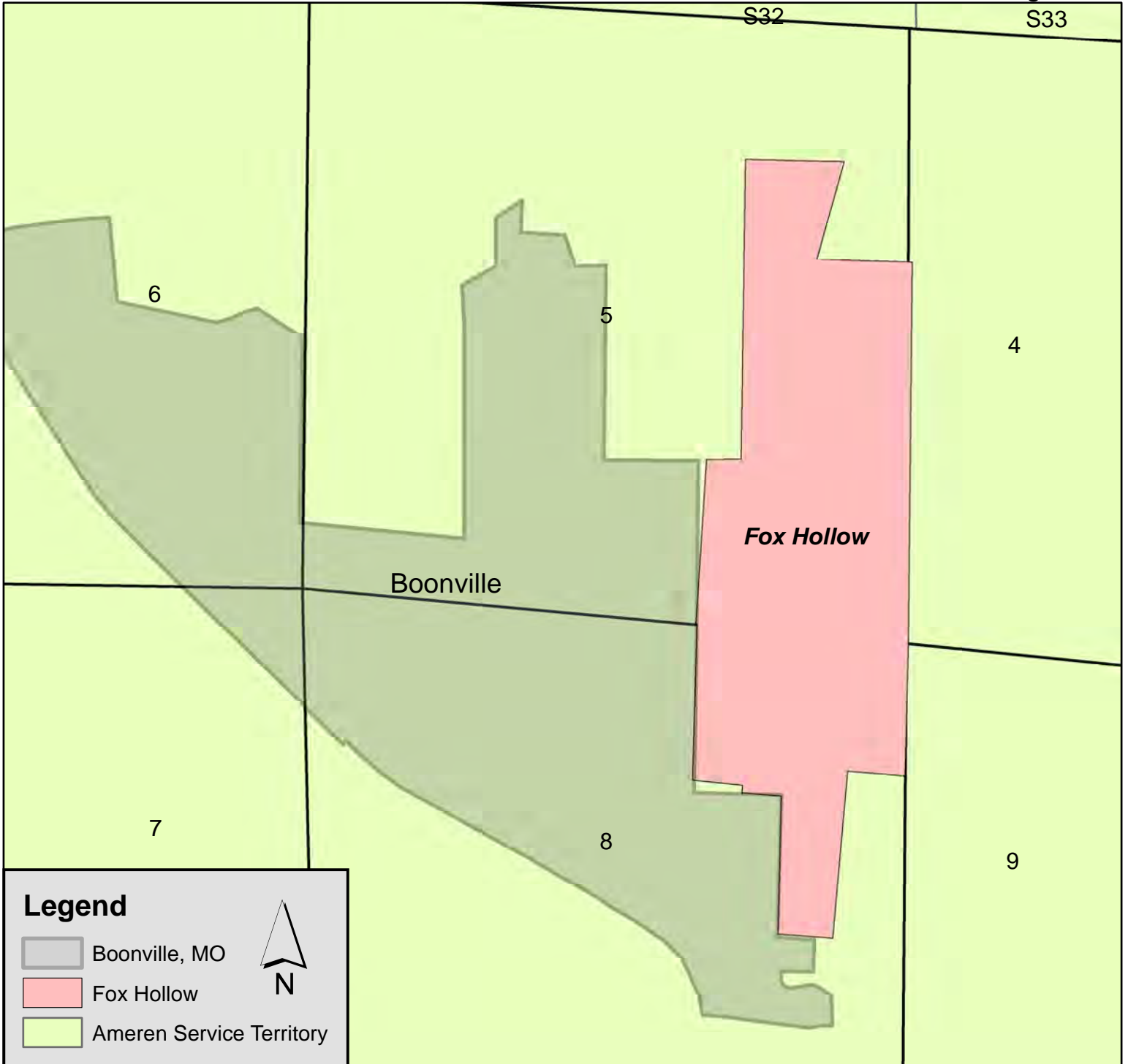
COOPER COUNTY

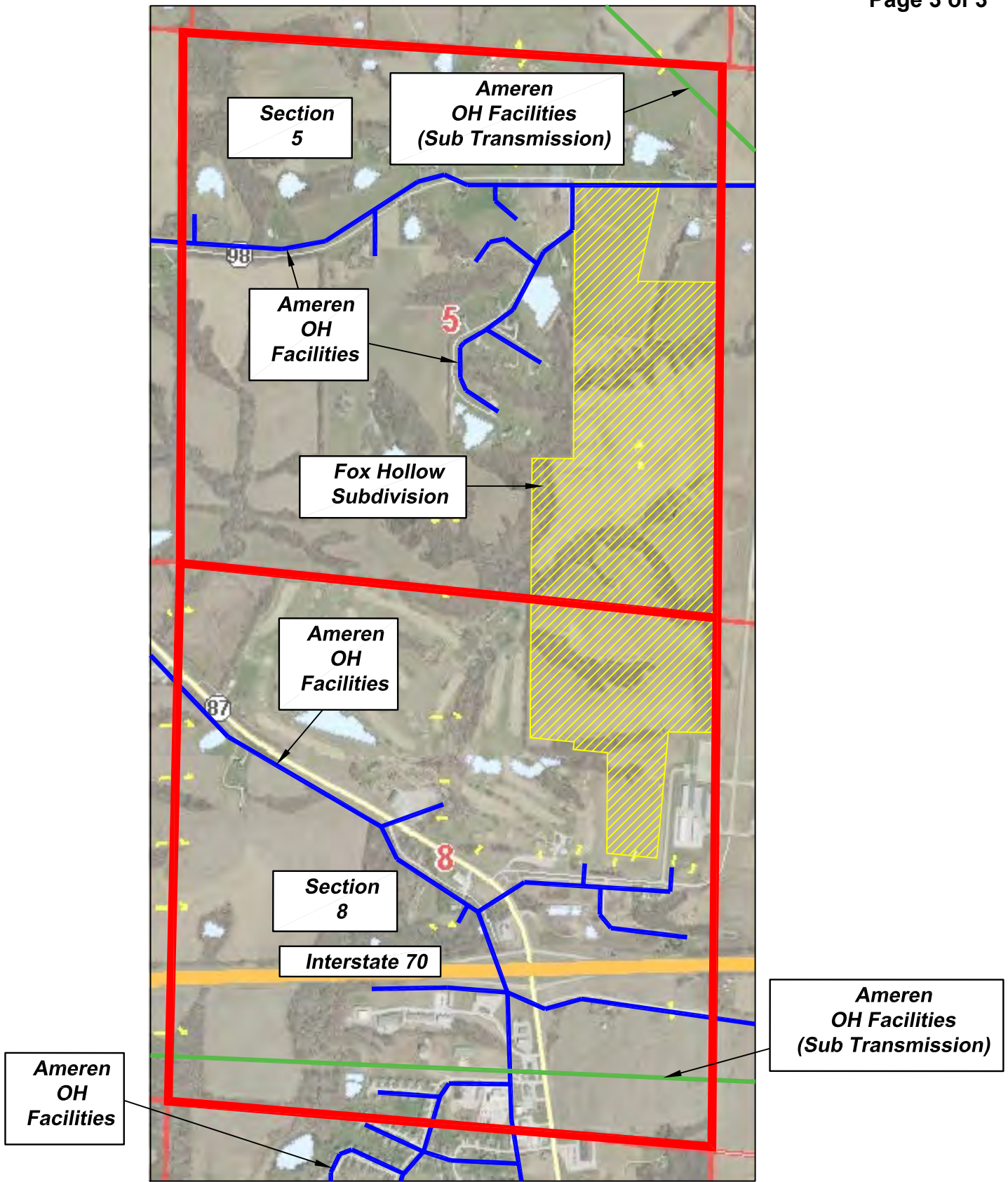
<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTIONS/U.S. SURVEYS</u>
45 North	17 West	2, 3, 4, 5, 6
45 North	18 West	1, 2, 3, 4
45 North	19 West	2, 3, 4, 5, 6
46 North	17 West	3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
46 North	18 West	1, 2, 11, 12
46 North	19 West	26, 27, 28, 31, 32, 33, 34, 35
47 North	15 West	4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33
47 North	16 West	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 23, 24, 25, 36
47 North	17 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34
47 North	18 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 23, 24, 25, 26, 35, 36
47 North	19 West	1
48 North	15 West	18, 19, 20, 21, 28, 29, 30, 31, 32, 33
48 North	16 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36
48 North	17 West	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32
48 North	18 West	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 34, 35, 36
48 North	19 West	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 36
49 North	16 West	31, 32, 33, 34, 35, 36
49 North	17 West	32, 33, 34, 35, 36
49 North	18 West	7, 18, 19, 30, 31
49 North	19 West	10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36

# Overview of Ameren Territory Near Boonville, MO And Fox Hollow Subdivision



# Boonville's Pre-Annexation Boundary And the Fox Hollow Subdivision





DATE	REV
1/21/2022	01
SCALE	
1" = 1500'	
SHEET	
1 OF 1	



386.800. Municipally owned electrical supplier, services outside..., MO ST 386.800

[Vernon's Annotated Missouri Statutes](#)

[Title XXV. Incorporation and Regulation of Certain Utilities and Carriers \[Chs. 386-394\]](#)

[Chapter 386. Public Service Commission \(Refs & Annos\)](#)

[Municipally Owned Electrical Supplier, Services Outside Boundaries](#)

This section has been updated. [Click here for the updated version.](#)

[Vernon's Annotated Missouri Statutes](#)

[Title XXV. Incorporation and Regulation of Certain Utilities and Carriers \[Chs. 386-394\]](#)

[Chapter 386. Public Service Commission \(Refs & Annos\)](#)

[Municipally Owned Electrical Supplier, Services Outside Boundaries](#)

V.A.M.S. 386.800

386.800. Municipally owned electrical supplier, services outside boundaries prohibited~~—~~, exceptions~~--~~annexation~~--~~negotiations, territorial agreements, regulations, procedure~~--~~fair and reasonable compensation defined~~--~~assignment of sole service territories~~--~~commission jurisdiction~~--~~[rural electric cooperatives, service within municipality, when](#)

Effective: ~~{See Text Amendments}~~ to August ~~27~~[28](#), 2021

[Currentness](#)

1. No municipally owned electric utility may provide electric energy at retail to any structure located outside the municipality's corporate boundaries after July 11, 1991, unless:

(1) The structure was lawfully receiving permanent service from the municipally owned electric utility prior to July 11, 1991;  
~~or~~

(2) The service is provided pursuant to an approved territorial agreement under ~~section 394.312~~[section 394.312](#); or

(3) The service is provided pursuant to lawful municipal annexation and subject to the provisions of this section; or

(4) The structure is located in an area which was previously served by an electrical corporation regulated under [this](#) chapter ~~386~~, and chapter 393, and the electrical corporation's authorized service territory was contiguous to or inclusive of the municipality's previous corporate boundaries, and the electrical corporation's ownership or operating rights within the area were acquired in total by the municipally owned electrical system prior to July 11, 1991. In the event that a municipally owned electric utility in a city with a population of more than one hundred twenty-five thousand located in a county of the first class not having a charter form of government and not adjacent to any other county of the first class desires to serve customers

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beyond the authorized service territory in an area which was previously served by an electrical corporation regulated under the provisions of ~~chapter 386, and chapter 393, as provided in this subdivision,~~this chapter, and chapter 393, as provided in this subdivision, in the absence of an approved territorial agreement under section 394.312, the municipally owned utility shall apply to the public service commission for an order assigning nonexclusive service territories: and concurrently shall provide written notice of the application to other electric service suppliers with electric facilities located in or within one mile outside of the boundaries of the proposed expanded service territory. The proposed service area shall be contiguous to the authorized service territory which was previously served by an electrical corporation regulated under the provisions of ~~this chapter-386,~~ and chapter 393, as a condition precedent to the granting of the application. The commission shall have one hundred twenty days from the date of application to grant or deny the requested order. The commission, after a hearing, may grant the order upon a finding that granting of the applicant's request is not detrimental to the public interest. In granting the applicant's request the commission shall give due regard to territories previously granted to or served by other electric service suppliers and the wasteful duplication of electric service facilities.

2. Any municipally owned electric utility [*electrical corporation*] may extend, pursuant to lawful annexation, its electric service territory to include ~~any areas where another electric supplier currently is not providing permanent service to a~~ structure. If a rural electric cooperative has existing electric service facilities with adequate and necessary service capability located in or within a newly annexed area which has not received permanent service from another supplier one mile outside the boundaries of the area proposed to be annexed, a majority of the existing developers, landowners, or prospective electric customers in the area proposed to be annexed may, anytime within ninety-fourty-five days prior to the effective date of the annexation-, submit a written request to the governing body of the annexing municipality to invoke mandatory good faith negotiations under section 394.312 to determine which electric service supplier is best suited to serve all or portions of the newly annexed area. In such negotiations the following factors shall be considered, at a minimum:

3(1) The preference of landowners and prospective electric customers;

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(2) The rates, terms, and conditions of service of the electric service suppliers;

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(3) The economic impact on the electric service suppliers;

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(4) Each electric service supplier's operational ability to serve all or portions of the annexed area within three years of the date the annexation becomes effective;

-

(5) Avoiding the wasteful duplication of electric facilities;

-

(6) Minimizing unnecessary encumbrances on the property and landscape within the area to be annexed; and

-

(7) Preventing the waste of materials and natural resources.

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If the municipally owned electric utility [*electrical corporation*] and rural electric cooperative are unable to negotiate a



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territorial agreement pursuant to section 394.312 within forty-five days, then they may submit proposals to those submitting the original written request, whose preference shall control, section 394.080 to the contrary notwithstanding, and the governing body of the annexing municipality shall not reject the petition requesting annexation based on such preference. This subsection shall not apply to municipally owned property in any newly annexed area.

3. In the event an electrical corporation rather than a municipally owned electric utility lawfully is providing electric service in the municipality, all the provisions of subsection 2 of this section shall apply equally as if the electrical corporation were a municipally owned electric utility, except that if the electrical corporation and the rural electric cooperative are unable to negotiate a territorial agreement pursuant to section 394.312 within forty-five days, then either electric service supplier may file an application with the commission for an order determining which electric service supplier should serve, in whole or in part, the area to be annexed. The application shall be made pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. The commission after the opportunity for hearing shall make its determination after consideration of the factors set forth in subdivisions (1) to (7) of subsection 2 of this section, and section 394.080 to the contrary notwithstanding, may grant its order upon a finding that granting of the applicant's request is not detrimental to the public interest. The commission shall issue its decision by report and order no later than one hundred twenty days from the date of the application unless otherwise ordered by the commission for good cause shown. Review of such commission decisions shall be governed by sections 386.500 to 386.550. If the applicant is a rural electric cooperative, the commission shall charge to the rural electric cooperative the appropriate fees as set forth in subsection 9 of this section.

4. When a municipally owned electric utility desires to extend its service territory to include any structure located within a newly annexed area which has received permanent service from another electric service supplier within ninety days prior to the effective date of the annexation, it shall:

(1) Notify by publication in a newspaper of general circulation the record owner of said structure, and notify in writing any affected electric service supplier and the public service commission, within sixty days after the effective date of the annexation its desire to extend its service territory to include said structure; and

(2) Within six months after the effective date of the annexation receive the approval of the municipality's governing body to begin negotiations pursuant to ~~section 394.312 with any affected electric~~section 394.312 with the affected electric service supplier.

45. Upon receiving approval from the municipality's governing body pursuant to subsection 34 of this section, the municipally owned electric utility and the affected electric service supplier shall meet and negotiate in good faith the terms of the territorial agreement and any transfers or acquisitions, including, as an alternative, granting the affected electric service supplier a franchise or authority to continue providing service in the annexed area. In the event that the affected electric service supplier does not provide wholesale electric power to the municipality, if the affected electric service supplier so desires, the parties ~~shall~~may also negotiate, consistent with applicable law, regulations and existing power supply agreements, for power contracts which would provide for the purchase of power by the municipality from the affected electric service supplier for an amount of power equivalent to the loss of any sales to customers receiving permanent service at structures within the annexed areas which are being sought by the municipally owned electric utility. The parties shall have no more than one hundred eighty days from the date of receiving approval from the municipality's governing body within which to conclude their negotiations and file their territorial agreement with the commission for approval under the provisions of ~~section 394.312~~section 394.312. The time period for negotiations allowed under this subsection may be extended for a period not to exceed one hundred eighty days by a mutual agreement of the parties and a written request with the public service commission.

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56. For purposes of this section, the term “**fair and reasonable compensation**” shall mean the following:

(1) The present-day reproduction cost, new, of the properties and facilities serving the annexed areas, less depreciation computed on a straight-line basis; and

(2) An amount equal to the reasonable and prudent cost of detaching the facilities in the annexed areas and the reasonable and prudent cost of constructing any necessary facilities to reintegrate the system of the affected electric service supplier outside the annexed area after detaching the portion to be transferred to the municipally owned electric utility; and

(3) ~~Four~~Two hundred percent of gross revenues less gross receipts taxes received by the affected electric service supplier from the twelve-month period preceding the approval of the municipality’s governing body under the provisions of subdivision (2) of subsection 34 of this section, normalized to produce a representative usage from customers at the subject structures in the annexed area; and

(4) Any federal, state and local taxes which may be incurred as a result of the transaction, including the recapture of any deduction or credit; and

(5) Any other costs reasonably incurred by the affected electric supplier in connection with the transaction.

67. In the event the parties are unable to reach an agreement under subsection 45 of this section, within sixty days after the expiration of the time specified for negotiations, the municipally owned electric utility or the affected electric service supplier may apply to the commission for an order assigning exclusive service territories within the annexed area and a determination of the fair and reasonable compensation amount to be paid to the affected electric service supplier under subsection 56 of this section. Applications shall be made and notice of such filing shall be given to all affected parties pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. Unless otherwise ordered by the commission for good cause shown, the commission shall rule on such applications not later than one hundred twenty days after the application is properly filed with the secretary of the commission. The commission shall hold evidentiary hearings to assign service territory between the affected electric service suppliers inside the annexed area and to determine the amount of compensation due any affected electric service supplier for the transfer of plant, facilities or associated lost revenues between electric service suppliers in the annexed area. The commission shall make such determinations based on findings of ~~what serves the public interest and shall make such decision by report and order. Review of such commission decisions shall be governed by sections 386.500 to 386.550. Review of such commission decisions shall~~ be governed by sections 386.500 to 386.550. The payment of compensation and transfer of title and operation of the facilities shall occur within ninety days after the order and any appeal therefrom becomes final unless the order provides otherwise.

78. In reaching its decision under subsection 67 of this section, the commission shall consider the following factors:

(1) Whether the acquisition or transfers sought by the municipally owned electric utility within the annexed area from the affected electric service supplier are, in total, in the public interest, including the preference of the owner of any affected

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structure, consideration of rate disparities between the competing electric service suppliers, and issues of unjust rate discrimination among customers of a single electric service supplier if the rates to be charged in the annexed areas are lower than those charged to other system customers; and

(2) The fair and reasonable compensation to be paid by the municipally owned electric utility, to the affected electric service supplier with existing system operations within the annexed area, for any proposed acquisitions or transfers; and

(3) Any effect on system operation, including, but not limited to, loss of load and loss of revenue; and

(4) Any other issues upon which the municipally owned electric utility and the affected electric service supplier might otherwise agree, including, but not limited to, the valuation formulas and factors contained in subsections 4, 5, 6, and 67, of this section, even if the parties could not voluntarily reach an agreement thereon under those subsections.

89. The commission is hereby given all necessary jurisdiction over municipally owned electric utilities and rural electric cooperatives to carry out the purposes of this section consistent with other applicable law; provided, however, the commission shall not have jurisdiction to compel the transfer of customers or structures with a connected load greater than one thousand kilowatts. The commission shall by rule set appropriate fees to be charged on a case-by-case basis to municipally owned electric utilities and rural electric cooperatives to cover all necessary costs incurred by the commission in carrying out its duties under this section. Nothing in this section shall be construed as otherwise conferring upon the public service commission jurisdiction over the service, rates, financing, accounting, or management of any rural electric cooperative or municipally owned electric utility, except as provided in this section.

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10. Notwithstanding sections 394.020 and 394.080 to the contrary, a rural electric cooperative may provide electric service within the corporate boundaries of a municipality if such service is provided:

-

(1) Pursuant to subsections 2 to 9 of this section; and

-

(2) Such service is conditioned upon the execution of the appropriate territorial and municipal franchise agreements, which may include a nondiscriminatory requirement, consistent with other applicable law, that the rural electric cooperative collect and remit a sales tax based on the amount of electricity sold by the rural electric cooperative within the municipality.

### Credits

(L.1991, S.B. No. 221, § A, eff. July 11, 1991.)

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Notes of Decisions (2)(L.1991, S.B. No. 221, § A, eff. July 11, 1991. Amended by L.2021, H.B. No. 271, § A, eff. Aug. 28, 2021; L.2021, H.B. No. 734, § A, eff. Aug. 28, 2021; L.2021, S.B. No. 44 § A, eff. Aug. 28, 2021.)

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[Notes of Decisions \(2\)](#)

[Footnotes](#)

<sup>1</sup>

**Revisor's Note:** [Word "through" appears in original rolls of H.B. 271 and S.B. 44, 2021.](#)

V. A. M. S. 386.800, MO ST 386.800

Statutes are current through the end of the 2021 First Regular and First Extraordinary Sessions of the 101st General Assembly.  
Constitution is current through the November 3, 2020 General Election.

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End of Document

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