

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

In the Matter of the Joint Motion of)
Lewis County Rural Electric Cooperative)
Association and Union Electric Company)
d/b/a Ameren Missouri for Approval) Case No. EO-2022-0102
of a First Addendum to the Parties')
Territorial Agreement designating the)
Boundaries of each electric service)
Supplier within portions of Scotland County)

MOTION FOR WAIVER OF 60-DAY NOTICE REQUIREMENT

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company"), a Missouri corporation, and Lewis County Rural Electric Cooperative Association pursuant to ("Lewis County") 20 CSR 4240-4.017, who submit this *Joint Motion for Waiver of 60-day Notice Requirement ("Joint Motion")*.

I. 20 CSR 4240-4.017 — Waiver of 60-Day Notice Requirement

1. Ameren Missouri and Lewis County request a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case....

Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "... a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case...."¹ As indicated in the *Verifications* attached as Schedule 1 to this *Joint Motion*, neither the Company nor Lewis Country has had any communication with the office of the

¹ Pursuant to the Commission's *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

commission, as defined in 20 CSR 4240-4.015(10), within the prior 150 days regarding any substantive issue likely to be in this case. Accordingly, Ameren Missouri and the Cooperative have established good cause for a waiver from the 60-day requirement of 20 CSR 4240-4.017(1). No other public utility will be affected by granting the Company a waiver from this requirement.

WHEREFORE, Ameren Missouri and the Cooperative respectfully request that the Commission grant the requested waiver of the 60-day notice requirement.

Respectfully submitted,

/s/ Eric Kendall Banks

Eric Kendall Banks, MBE #28655
Banks Law LLC
1824 Chouteau Avenue
St. Louis, Missouri 63103
314-583-7075 (telephone)
302-365-2789 (eFax)
ericbanks@bankslawllc.com

and

/s/ Jermaine Grubbs

Jermaine Grubbs, MBE# 68970
Corporate Counsel
P.O. Box 66149, MC 1310
St. Louis, MO 63166-6149
(314) 554-2041 (phone)
(314) 554-4014 (fax)
ArnerenMOService@ameren.com

**Counsel for Union Electric Company d/b/a
Ameren Missouri**

/s/ Megan E. Ray

Megan E. Ray #62037
Andereck, Evans, Lewis, Figg
& Battagler, L.L.C.
3816 S. Greystone Court, Suite B
Springfield, MO 65804
Telephone: 417-864-6401
Facsimile: 417-864-4967
Email: mray@lawofficemo.com

**Attorneys for Lewis County Rural Electric
Cooperative Association**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on November 19, 2021, to the following:

Office of the Public Counsel
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, Missouri 65102
staffcounsel@psc.mo.gov

/s/ Eric Kendall Banks