## **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-2022-0332
Designated Service Boundaries Within	)	
Portions of Cooper County, 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.	)	

## JOINT SUBMISSION OF ADDENDUM TO TERRITORIAL AGREEMENT

**COME NOW** Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company") and Co-Mo Electric Cooperative, Inc. ("Co-Mo") and hereby jointly submit their First Addendum to Territorial Agreement and, with respect thereto, state as follows:

1. Ameren Missouri and Co-Mo are parties to a Stipulation and Agreement submitted in File No. EO-2022-0190 on May 27, 2022 (the "Stipulation"). Appendix 1 to the Stipulation is a May 27, 2022 Territorial Agreement (the "Agreement") among Ameren Missouri and Co-Mo. Exhibit A to the Agreement reflects maps of the territories allocated by the Agreement to each of Ameren Missouri and Co-Mo. The Agreement provides for a later submission of legal descriptions of those areas.

2. Ameren Missouri and Co-Mo submitted the above-referenced legal descriptions to the Commission in File No. EO-2022-0332,<sup>1</sup> which is a separate docket arising from File No. EO-2022-0190 in which Ameren Missouri and Co-Mo seek approval of the Agreement.

3. One of the areas in Cooper County, Missouri allocated to Co-Mo by the Agreement and described in detail in the Joint Submission as Co-Mo Area 1 includes land owned by the City

<sup>&</sup>lt;sup>1</sup> See Joint Submission of Legal Descriptions ("Joint Submission").

of Boonville, Missouri which comprises the existing City of Boonville Airport and land adjacent thereto owned by the City.<sup>2</sup>

4. Ameren Missouri and Co-Mo have agreed, given Ameren Missouri's current service to the Boonville Airport and its continuing right as provided by law to serve existing structures (or replacements of them) at the Boonville Airport, that the public interest supports amending the Agreement to allow Ameren Missouri sto serve any additional structures that might be erected on the Boonville Airport property.

5. Therefore, Ameren Missouri and Co-Mo have executed the attached First Addendum to Territorial Agreement, the sole purpose of which is to exclude the Boonville Airport property from Co-Mo Area 3 in Cooper County, Missouri, and to include the Boonville Airport property in Ameren Area 1 in Cooper County, Missouri. To that end, the attached First Addendum to Territorial Agreement includes a First Amended Exhibit A which modifies the legal descriptions and the maps contained in the Joint Submission to exclude the Boonville Airport property from Co-Mo Area 3 in Cooper County, Missouri, and to include the Boonville Airport property in Ameren Area 1 in Cooper County, Missouri.

**WHEREFORE**, Ameren Missouri and Co-Mo pray that the Commission make and enter its order approving the Stipulation and the Territorial Agreement, as amended by the First Addendum to Territorial Agreement, and for such other and further relief as is just and appropriate under the circumstances.

Respectfully submitted,

/s/ James B. Lowery James B. Lowery, MO Bar #40503 JBL Law, LLC 3406 Whitney Ct.

<sup>&</sup>lt;sup>2</sup> The City may expand the Boonville Airport in the future, including the erection of additional structures. In this regard, Ameren Missouri and Co-Mo have agreed that Ameren Missouri would also provide electric service to any expanded airport and will submit the legal descriptions of such additional land, if it is acquired, to the Commission.

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

/s/ Megan E. McCord

Megan E. McCord, Mo. Bar #62037 Friel, McCord & Smiley, LLC P.O. Box 14287 Springfield, MO 65814 Phone: (417) 227-8405 mmccord@reclawfirm.com ATTORNEYS FOR CO-MO ELECTRIC COOPERATIVE, INC.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this 19th<sup>th</sup> day of October 2022, served the foregoing either by e-mail to all counsel of record.

/s/James B. Lowery\_\_\_\_\_

James B. Lowery