



Commissioners  
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Chair  
CONNIE MURRAY  
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## Missouri Public Service Commission

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January 2, 2002

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Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>3</sup>**

JAN 02 2002

Missouri Public  
Service Commission

**RE: Case No. EO-2002-178**

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of **LIST OF ISSUES, LIST OF WITNESSES, ORDER OF WITNESSES AND ORDER OF CROSS EXAMINATION.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Robert V. Franson  
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RVF:ccl  
Enclosure  
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

JAN 02 2002

Missouri Public  
Service Commission

In the Matter of the Joint Application of Union )  
Electric Company and Gascosage Electric )  
Cooperative for an Order Approving a Change in )  
Electric Supplier for Reasons in the Public )  
Interest; Authorizing the Sale, Transfer, and )  
Assignment of Certain Electric Distribution )  
Facilities, Substations, and Easements from )  
Union Electric Company and Approving the First )  
Amendment of the Union Electric Company and )  
Gascosage Electric Cooperative Territorial )  
Agreement )

Case No. EO-2002-178

**LIST OF ISSUES, LIST OF WITNESSES, ORDER OF WITNESSES AND ORDER OF  
CROSS EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), on its own behalf and on behalf of all other parties to this case, and respectfully submits the following Proposed List of Issues, Order of Witnesses and Order of Cross-Examination, for the evidentiary hearing in this case:

1. On October 10, 2001, Union Electric Company d/b/a AmerenUE ("AmerenUE") and Gascosage Electric Cooperative ("Gascosage") (hereinafter collectively the "Joint Applicants") filed with the Missouri Public Service Commission ("Commission") a Joint Application for an order approving a change in electric supplier and for authorization to sale, transfer or assign electric distribution facilities, easements and other rights from Union Electric Company to Gascosage Electric Cooperative.

2. On November 6, 2001, the Commission issued an Order directing Notice and set a date for filing request for intervention. The Order also set a prehearing conference for November 28, 2001 at 10:00 a.m. and the filing of a proposed procedural schedule by November 30, 2001.

3. On November 28, 2001, the parties appeared for the Prehearing Conference. The parties discussed a Proposed Procedural Schedule. Direct testimony was filed by AmerenUE on October 30, 2001, and by Gascosage on November 28, 2001.

4. On November 30, 2001, the parties filed a Joint Proposed Procedural Schedule. On December 14, 2001, the Commission issued its Order Adopting Procedural Schedule.

5. On November 21, 2001, the Commission issued an Order Granting Intervention to the International Union of Operating Engineers, Local No. 148, AFL-CIO ("OE Local 148") and the International Brotherhood of Electrical Workers Local 1455, AFL-CIO ("IBEW Local 1455"). On December 20, 2001, the Commission issued an Order Granting Intervention to Karl Brandt and 30 other employees of Gascosage Electric Cooperative ("Employees of Gascosage").

6. All parties wishing to file direct, rebuttal and surrebuttal testimony have done so. Following a series of discussions, the parties have identified the following issues for decision by the Commission and have agreed upon the following order of witnesses and order of cross-examination.

#### **LIST OF CONTESTED ISSUES**

- A. Is the change in electrical supplier for approximately 1200 structures in and around the Cities of Brumley and Ulman from Company to Cooperative pursuant to Section 393.106 RSMo 2000 in the public interest for reasons other than a rate differential?**
- B. Is the sale, transfer, and assignment of certain substations and electric distribution facilities, easements, and other rights generally constituting Company's electric utility business associated with said approximately 1200 structures pursuant to Section 393.190 RSMo 2000 not detrimental to the public interest?**

- C. Pursuant to Section 394.312 RSMO 2000, is approval of the Applicants' First Amendment to the existing Territorial Agreement in total not detrimental to the public interest?
- D. Should the Commission in any Order approving the Agreement order that none of the Parties in this case shall be deemed to have approved or acquiesced in any rate-making principle or any method of cost determination or cost allocation underlying or allegedly underlying the Stipulation and Agreement, except as the Commission finds that the Territorial Agreement is in the public interest?

**LIST AND ORDER OF WITNESSES**

1. **AmerenUE**  
Larry Merry
2. **Gascosage**  
John Greenlee
3. **Staff**  
James L. Ketter  
Stephen M. Rackers

**ORDER OF CROSS-EXAMINATION**

A. **AmerenUE Witnesses**

1. Gascosage
2. Employees of Gascosage
3. Staff
4. Office of Public Counsel
5. Operating Engineers Local 148 and International Brotherhood of Electrical Workers Local 1455

B. **Gascosage Witnesses**

1. AmerenUE
2. Employees of Gascosage
3. Staff
4. Office of Public Counsel
5. Operating Engineers Local 148 and International Brotherhood of Electrical Workers Local 1455

C. **Staff**

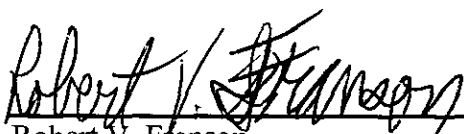
1. AmerenUE
2. Gascosage
3. Employees of Gascosage

4. Office of Public Counsel
5. Operating Engineers Local 148 and International Brotherhood of Electrical Workers Local 1455

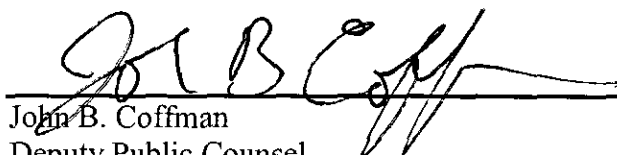
**WHEREFORE**, the parties respectfully request that the Commission approve the List of Issues, List and Order of Witnesses, and Order of Cross-Examination.

Respectfully submitted,

DANA K. JOYCE  
General Counsel



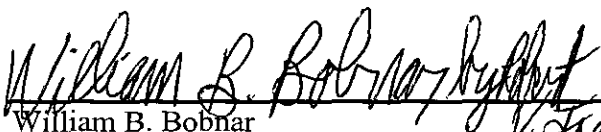
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MISSOURI PUBLIC SERVICE COMM'N**

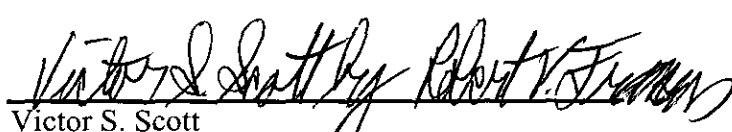
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ENGINEERS LOCAL 148 AND  
INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS LOCAL 1455**

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 2<sup>nd</sup> day of January 2002.

*Robert V. Franzen*

**Service List for  
Case No. EO-2002-178  
Verified: January 2, 2002 (ccl)**

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