

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

In the matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri and Boone County)	File No. EO-2016-0087
Electric Cooperative for Authority for to Transfer)	
Customers between Electric Suppliers.)	

**AMENDED JOINT APPLICATION FOR AUTHORITY TO
TRANSFER CUSTOMERS BETWEEN ELECTRIC SUPPLIERS**

Under authority of, and in accordance with, Sections 393.106 and 394.315, RSMo, 4 CSR 240-2.060, and 4 CSR 240-3.140, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “the Company”) and Boone Electric Cooperative (“BEC” or “the Cooperative”) jointly seek an order transferring to Ameren Missouri the exclusive right to provide retail electric service to property at 16100 South Hagans Road, Ashland, Missouri, which is owned by the Bade Raymond-Anna Trust, Ms. Laverne Garrett trustee (“Garrett Property”).

1. Ameren Missouri, a Missouri corporation, provides electric and gas utility services to customers in its Missouri service areas. The Company’s principal office is at 1901 Chouteau Avenue, St. Louis, Missouri 63103. Ameren Missouri is an “electrical corporation,” a “gas corporation,” and a “public utility,” as each of those terms is defined in Section 386.020, RSMo, and therefore is subject to the general regulatory jurisdiction and supervision of the Commission, as provided by law.

2. BEC, a Missouri corporation organized under Chapter 394 of the Revised Statutes of Missouri, is a rural electric cooperative providing electric energy and related services to cooperative members in Boone, Audrain, Callaway, Howard, Monroe, and Randolph Counties.

The Cooperative's principal office is at 1413 Rangeline, Columbia, Missouri, 65205. The Cooperative is neither an "electrical corporation" nor a "public utility," as each of those terms is defined in Section 386.020, RSMo; therefore, the Commission has only limited regulatory jurisdiction over BEC, as provided by law.

3. Correspondence, communications, orders, and other documents and notices related to this application should be sent to the following representatives of the applicants:

For Ameren Missouri

Wendy Tatro
Director – Assistant General Counsel
Scott Huber
Corporate Counsel
Union Electric Company d/b/a Ameren Missouri
1901 Chouteau Ave.
P. O. Box 149 (MC 1310)
St. Louis, MO 63166-6149
(314) 554-3484
(314) 554-4014 (fax)
AmerenMOService@ameren.com

L. Russell Mitten
Brydon, Swearingen & England, P.C.
12 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
(573) 635-7166
(573) 635-0427 (fax)
rmitten@brydonlaw.com

For BEC

Todd Culley
General Manager/CEO
1413 Rangeline
P.O. Box 797
Columbia, MO 65205
(573) 449-4181
(573) 441-7272 (fax)
TCulley@booneelectric.com

Andrew Sporleder
Johnson & Sporleder LLP
2420 Hyde Park Road, Ste. C
Jefferson City, MO 65109
(573) 659-8734
(573) 761-3587 (fax)
as@cjaslaw.com

4. Ameren Missouri previously filed with the Commission (i) a certified copy of the Company's Articles of Incorporation (Case No. EA-87-105); (ii) a copy of its fictitious name registrations (Case Nos. GO-98-486 and EN-2011-0069); and (iii) a copy of its Certificate of Corporate Good Standing (Case No. EA-2013-0502). Those documents are incorporated by reference and made a part of this application for all purposes, as authorized by 4 CSR 240-2.060(1)(G).

5. BEC previously filed with the Commission a copy of its Certificate of Corporate Good Standing (Case No. EO-2015-0012). That document is incorporated by reference and made a part of this application for all purposes, as authorized by 4 CSR 240-2.060(1)(G). BEC does not have a fictitious name registration on file with the Missouri Secretary of State.

6. Ameren Missouri has no overdue Commission annual reports or assessment fees, and has no pending or final unsatisfied judgments or decisions against it from any state or federal agency or court that have occurred within the three years immediately preceding the filing of this application and involve customer service or rates, except for the appeal of Ameren Missouri's 2014 electric rate case (File No. ER-2014-0258), which is pending before the Missouri Court of Appeals, Western District (WD78688).

7. BEC has no overdue Commission reports or assessment fees, and has no pending or final unsatisfied judgments or decisions against it from any state or federal agency or court that have occurred within the three years immediately preceding the filing of this application and involve customer service or rates.

8. In accordance with a letter agreement dated June 11, 2015, BEC agrees to transfer to Ameren Missouri responsibility for providing retail electric service to the Garrett Property, and further agrees to sell the Company thirteen poles, twelve spans of conductor, and related appurtenances the Cooperative uses to provide service to that location.¹ A more specific description of the Garrett Property is as follows: a 155 acre tract located in the east half of the northwest quarter section and the west half of the northeast quarter section of Section 12, Township 24, Range 46 at the south end of South Hagans Road in Boone County, Missouri. A copy of the letter agreement and a diagram showing the Garrett Property are attached to this

¹ A typographical error in the letter agreement mistakenly identifies the address of the Garrett Property as "16001 South Hagans Road." The correct address is "16100 South Hagans Road."

application as Exhibit A and Exhibit B, respectively, and are incorporated by reference and made a part of this application for all purposes. Although the letter agreement states Ms. Garrett is fully aware of the proposed transfer and gives her consent, 4 CSR 240-3.140(H) requires a verified statement from the customer consenting to the transfer. A copy of an affidavit giving consent for the proposed transfer is attached as Exhibit C and is incorporated by reference.

9. In their territorial agreement, which the Commission approved in a Report and Order dated March 16, 1999, in Case No. EO-99-267, Ameren Missouri and BEC designated areas in Boone County where each company has the exclusive right to provide retail electric service, subject to certain exceptions. One such exception is that as of the effective date of the territorial agreement each signatory retained the right to continue to provide service to any “Existing Structure”² regardless of where such structure was located. Although the Garrett Property is located within Ameren Missouri’s exclusive service area as defined by the territorial agreement, on the effective date of that agreement the Garrett Property was served by BEC and the Cooperative exercised its right to continue to provide service. However, both BEC and Ms. Garrett, as trustee, now consent to transfer to Ameren Missouri the exclusive right to provide retail electric service to the Garrett Property.

10. The Company is able to provide safe and reliable electric service to the Garrett Property, and approving the proposed change of electric suppliers is in the public interest for at least three reasons. First, the Garrett Property is within an area Ameren Missouri is obligated to serve under the terms of its territorial agreement with BEC. Second, the proposed transfer will allow the Cooperative to remove approximately 0.75 miles of distribution line it cannot use to serve other customers, and will relieve BEC of future maintenance costs associated with the line.

² Article 1.6 of the territorial agreement defines “Existing Structure” to include “any structure that receives electric energy from either party prior to or on the effective date of this Agreement.”

Finally, removal of the line also will benefit two other nearby customers who have been unable to use and develop their properties because the Cooperative's line and associated easements have impeded such use and development.

11. The issues raised by this application do not create or involve a "contested case" as defined by Section 536.010(4), RSMo; therefore, the sixty-day notice provisions of 4 CSR 240-4.020(2) do not apply.

WHEREFORE, having shown the proposed transfer to Ameren Missouri is in the public interest and the affected customer consents, the applicants request the Commission issue an order approving a change in electrical suppliers for the Garrett Property, and granting such other relief as the Commission deems appropriate under the circumstances.

Respectfully submitted,

By: /s/ L. Russell Mitten

Wendy Tatro, #60261
Director – Assistant General Counsel
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**ATTORNEYS FOR UNION ELECTRIC
COMPANY d/b/a AMEREN MISSOURI**

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as@cjaslaw.com

**ATTORNEYS FOR BOONE ELECTRIC
COOPERATIVE**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing application has been served on the following parties, via electronic mail, on this 16th day of November, 2015.

Shelly Brueggemann
Executive Secretary and General Counsel
Missouri Public Service Commission
Governor Office Building
200 Madison Street – Suite 100
Jefferson City, Missouri 65101
GenCounsel@psc.mo.gov

Dustin Allison
Public Counsel
Office of the Public Counsel
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opcservice@ded.mo.gov

Kevin Thompson
Chief Staff Counsel
Missouri Public Service Commission
Governor Office Building
200 Madison Street – Suite 100
Jefferson City, Missouri 65101
Kevin.Thompson@psc.mo.gov

/s/ L. Russell Mitten

VERIFICATION

STATE OF MISSOURI)
) ss
CITY OF ST. LOUIS)

DAVID N. WAKEMAN, being duly sworn on oath, deposes and says that he is the Senior Vice President of Operations & Technical Services of Union Electric Company d/b/a Ameren Missouri; that he has read the foregoing amended application and knows the contents thereof; and that the information contained in that application is true and correct to the best of his knowledge and belief.

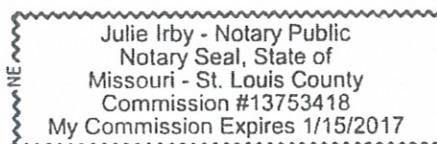
UNION ELECTRIC COMPANY
d/b/a AMEREN MISSOURI

BY: David N. Wakeman
DAVID N. WAKEMAN

Subscribed and sworn to before me, the undersigned Notary Public in and for the county and state aforesaid, on the 12th day of November, 2015.

Julie Irby
Notary Public

My Commission expires:

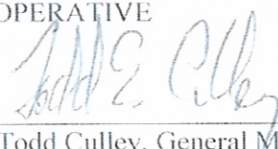


VERIFICATION

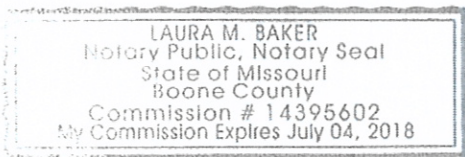
STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

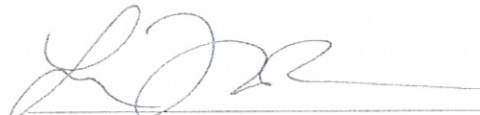
Todd Culley, being duly sworn on oath, deposes and says that he is the General Manager/CEO of Boone Electric Cooperative; that he has read the foregoing amended application and knows the contents thereof; and that the information contained in that application is true and correct to the best of his knowledge and belief.

BOONE ELECTRIC
COOPERATIVE

BY: 
Todd Culley, General Manager/CEO

Subscribed and sworn to before me, the undersigned Notary Public in and for the county and state aforesaid, on the 9 day of November, 2015.




Notary Public

My Commission expires:



Boone Electric Cooperative

1413 Rangeline St., P.O. Box 797, Columbia, MO 65205-0797 Telephone: 573-449-4181
Fax: 573-441-7272 Website: www.BooneElectric.coop Email: comments@BooneElectric.com

June 11, 2015

Mr. Ralph Webb
Director Central Ozarks Division
Ameren Missouri
1310 Industrial Dr.
P. O. Box 1558
Jefferson City, Missouri 63102-1558

Ms. Laverne Garrett
19530 S. Quivira Rd,
Spring Hill, KS 66083

Re: Electric Service at 16001 S. Hagans Rd.,
Ashland Missouri 65010

Dear Ms. Garrett and Mr. Webb:

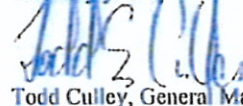
This letter is intended to memorialize the agreement of Ameren Missouri, Ms. Laverne Garrett and Boone Electric Cooperative ("BEC"), (collectively referred to herein as the "Parties") regarding electric service to property owned by Ms. Garrett located at 16001 S. Hagans Rd., Ashland Missouri ("Premises"). Currently, BEC is providing electric service to the Premises.

BEC and Ameren Missouri hereby agree to transfer the responsibility and right to provide electric service to the Premises to Ameren Missouri at a date to be determined. Ms. Laverne Garrett, being fully aware of the intended transfer of electric service providers from BEC to Ameren does hereby consent and agree to such transfer. Furthermore, Ms. Garrett hereby agrees to grant, at no cost to BEC or Ameren Missouri, easement(s) to accommodate placement of pole anchors as necessary.

The parties attest and acknowledge that this transfer will only affect electric service to the Premises owned by Ms. Laverne Garrett. This transfer will require the sale, via a mutually agreed to bill of sale between Ameren Missouri and BEC, regarding approximately 13 poles and 12 spans of conductor and other appurtenances as set forth on the attached map.


Please sign all three included copies and return to Boone Electric Cooperative, Attn: Kirk M Pickett, 1413 Rangeline St., Columbia, MO 65201. Once all copies are completed an original signed document will be sent to you for your records.

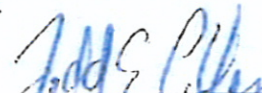
Sincerely yours,


Todd Culley, General Manager/CEO

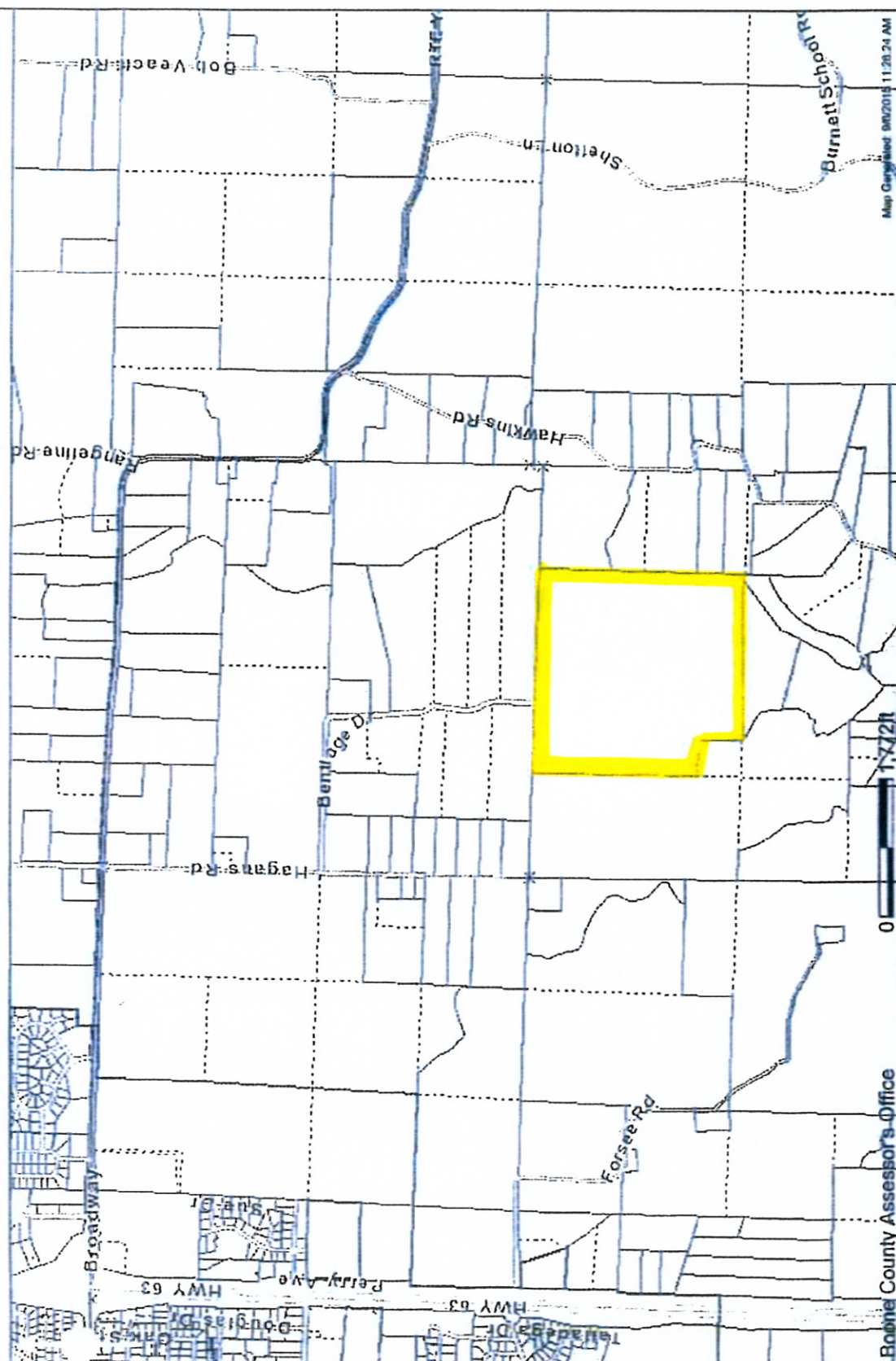
BY SIGNING BELOW THE PARTIES AGREE TO THE FOREGOING AND ACKNOWLEDGE THAT THEY HAVE FULL AUTHORITY AND RIGHT TO EXECUTE THIS DOCUMENT.


Laverne Garrett


Ralph Webb, Director Central
Ozarks Division, Ameren Missouri


Todd Culley, General Manager/CEO
Boone Electric Cooperative

MAP SHOWING GARRETT PROPERTY



Boone County Assessor's Office

ATTENTION!

DISCLAIMER: READ CAREFULLY. These maps were prepared for the inventory of real property based on the utilization of aerial, plans, and/or geographic data. In addition, map files are frequently changed to reflect changes in boundaries, lot lines and other geographic features resulting from changes in ownership, development and other causes. The relevance, dimension, and location of features, as well as other information, should not be relied upon for any purpose without actual field verification. The County of Boone makes no warranty of any kind concerning the completeness or accuracy of information contained on these maps and assumes no liability or responsibility for the use or misuse of these maps by persons not affiliated with Boone County. Use of these maps by any person not affiliated with Boone County constitutes agreement by the user to assume full liability and responsibility for the verification of the accuracy of information shown on these maps.

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

AFFIDAVIT OF CONSENT

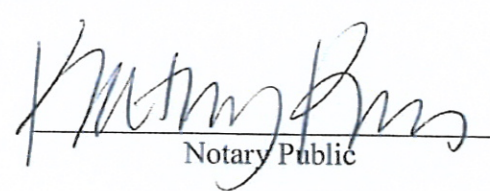
The undersigned affiant, LAVERNE GARRETT, being duly sworn, hereby certifies:

1. I am the sole trustee of the Bade Raymond-Anna Trust, which owns property located at 16100 South Hagans Road, Ashland, Missouri, and in that capacity I have legal authority to execute this affidavit; and
2. I hereby certify my consent to transfer from Boone Electric Cooperative to Union Electric Company d/b/a Ameren Missouri the exclusive right to provide retail electric service to the property identified in the preceding paragraph.



LAVERNE GARRETT
TRUSTEE

Subscribed and sworn to before me, the undersigned Notary Public in and for the county and state aforesaid, on the 9th day of November, 2015.



Notary Public

My Commission expires: 7/29/18

