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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Union)
Electric Company d/b/a AmerenUE for)
Authority to Sell Assets to BioKyowa, Inc.)

Case No. EM-99-195

ORDER AND NOTICE

On November 3, 1998, Union Electric Company d/b/a AmerenUE (AmerenUE or Applicant) filed an application with the Commission requesting an order approving the sale of certain substation facilities and associated equipment to a current customer, BioKyowa, Inc. (BioKyowa or customer).

Applicant stated that BioKyowa is an existing customer of AmerenUE and presently takes service from the company under rate 11(M), Large Primary Service, at its facility located at 5469 Nash Road in Cape Girardeau, Missouri. Applicant stated that electric service is supplied at this facility through two 34.5/4.16 kV transformers presently owned by the Applicant but located in the customer's substation from which no other customer is served. AmerenUE stated BioKyowa is expanding its usage at the facility and in conjunction agreed to purchase the Applicant's existing substation facilities and associated 34.5 kV overhead line facilities.

The parties have entered into an agreement for the sale of the designated facilities "as is" under the terms and conditions set forth in the Bill of Sale, attached to the application and referenced as Appendix 1.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send a copy of this order to the county commission of Cape Girardeau, as that entity is listed in the current *Official Manual of the State of Missouri*. In addition, the Information Office of the Commission shall send notice of this application to the members of the General Assembly who represent customers in Cape Girardeau County, and to the newspapers located in Cape Girardeau County, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the applicants may submit their evidence in support of the application by verified statement. State ex rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

2. That any interested party wishing to intervene in this case shall file an application to do so no later than December 23, 1998, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

James J. Cook
Ameren Services Company
P.O. Box 66149 (M/C 1310)
1901 Chouteau Avenue
St. Louis, MO 63166-6149

and

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That this order shall become effective on December 3, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, Regulatory Law Judge
by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 23rd day of November, 1998.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION