

BEFORE THE PUBLIC SERVICE COMMISSION

FILED

OF THE STATE OF MISSOURI

JUL 16 1999

Missouri Public
Service Commission

In the Matter of the Application of Union)
Electric Company d/b/a AmerenUE and)
Ozark Border Electric Cooperative for)
Approval of a Written Territorial)
Agreement Designating the Boundaries of)
Each Electric Service Supplier within)
Portions of Bollinger, Butler, Carter,)
Dunklin, Iron, Madison, New Madrid,)
Reynolds, Ripley, Stoddard and Wayne)
Counties, Authorizing the sale, Transfer,)
and Assignment of Certain Electric)
Distribution Facilities, Easements and)
Other Rights, Generally Constituting the)
Applicants' Electric Utility Business)
Associated with its Customers Transferred)
Pursuant to the Territorial Agreement.)

Case No. EO-99-599

PROPOSED PROCEDURAL SCHEDULE

COME NOW the undersigned parties to this proceeding, and respectfully state as follows:

1. On June 16, 1999, Union Electric Company d/b/a AmerenUE ("AmerenUE"), a regulated utility, and Ozark Border Electric Cooperative, Inc. ("Cooperative"), hereinafter collectively known as "the Applicants", filed a Joint Application requesting that the Missouri Public Service Commission ("Commission"): a) approve a Territorial Agreement between the Applicants, based on a finding that the designated service areas are not detrimental to the public interest; b) authorize the Applicants to perform in accordance with the terms and conditions of the Territorial Agreement; c) find that the Territorial Agreement shall not impair AmerenUE's Certificates of Convenience and Necessity, except as specifically limited by the Territorial

Agreement; d) waive the Commission's Billing Practices Rule and allow the Applicants to disconnect electric service to a customer who fails to pay the final bill of the other Applicant; e) grant Applicants the authority to change electric service providers for certain customers, pursuant to the terms of the Territorial Agreement; f) grant Applicants the authority to transfer certain property, pursuant to the Territorial Agreement; g) issue an order authorizing AmerenUE to extinguish all Certificates of Convenience and Necessity under which AmerenUE operates its retail electric business in Butler County and land sections in Dunklin, New Madrid, and Stoddard Counties; h) authorize AmerenUE to terminate its retail electric service to the public in Butler County and said land sections of Dunklin, New Madrid, and Stoddard Counties as a public utility subject to the jurisdiction of the Commission, and, in connection therewith, relieving AmerenUE of all public utility obligations with respect to its retail electric utility business in Butler County and said land sections of Dunklin, New Madrid, and Stoddard Counties, pursuant to said Certificates of Convenience and Necessity; and i) terminate all other duties, obligations, and conditions which have resulted from or have been imposed by law or because of the Commission's jurisdiction over AmerenUE as an electric utility with respect to AmerenUE's retail electric business in Butler county and said land sections in Dunklin, New Madrid, and Stoddard Counties.

2. On June 24, 1999, the Commission issued its Order and Notice, which, *inter alia*: a) directed that the Applicants provide notice of their proposal to affected customers, and that appropriate Commission departments notify other interested parties; b) established July 14, 1999 as the filing deadline for applications to intervene in this docket; c) stated that the Applicants, the Commission Staff, and the Office of the Public Counsel (hereinafter collectively known as "the Parties") may file a procedural schedule in this docket by 3:00 p.m. on July 16, 1999; and

d) established, in the absence of a request to the contrary, August 23, 1999 (9:00 a.m.) as the hearing date for this matter.

3. On July 9, 1999, the Office of the Public Counsel filed a Request for Local Public Hearing. On July 13, 1999, the Applicants filed copies of the letters sent to their respective customers affected by the Territorial Agreement. Also on July 13th, the City of Poplar Bluff, Missouri filed its Application to Intervene, Objection to Portions of Proposed Territorial Agreement, and Request for Show Cause Order.

4. The Parties are in agreement that it would premature to propose a detailed procedural schedule at this time. The Parties further agree that, in light of the pending situation regarding intervenors and the strong potential for resolution of at least some of the issues in this case, the scheduling of a pre-hearing conference is appropriate. It is anticipated that such a conference will go a long way toward clarifying the situation, and that thereafter, the Parties will be much better positioned to propose a more detailed procedural schedule, should that be necessary.

5. Accordingly, the Parties hereby propose the following abbreviated Procedural Schedule, which will allow compliance with the statutorily mandated 120-day period for action by the Commission.

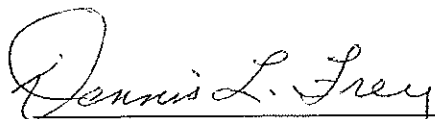
Procedural Schedule

| | |
|------------------------|-----------------------------|
| Pre-hearing Conference | July 30, 1999 |
| Evidentiary Hearing | August 23, 1999 (9:00 a.m.) |

WHEREFORE, the Parties recommend that the Commission issue an order adopting the Procedural Schedule proposed above.

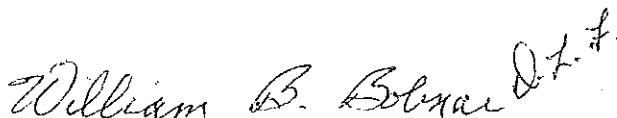
Respectfully submitted,

DANA K. JOYCE
General Counsel



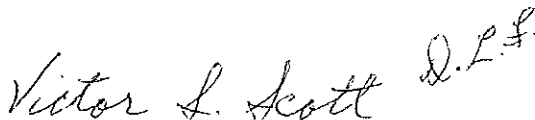
Dennis L. Frey, Mo. Bar No. 44697
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8700

Attorney for the Staff of the
Missouri Public Service Commission



William B. Bobnar, Mo. Bar No. 38966
Ameren Services Company
One Ameren Plaza
P.O. Box 149 (MC 1310)
St. Louis, MO 63166-6149
(314) 554-3148

Attorney for AmerenUE



Victor S. Scott, Mo. Bar No. 42963
Anderek, Evans, Milne, Peace & Baumhoer
305 E. McCarty St., P.O. Box 1438
P.O. Box 4929
Jefferson City, MO 65102
(573) 634-3422

Mark A. Kennedy, Mo Bar No. 28183
Kennedy and Kennedy
P.O. Box 696
1165 Cherry Street
Poplar Bluff, MO 63901
(314) 686-2459

Attorneys for Cooperative

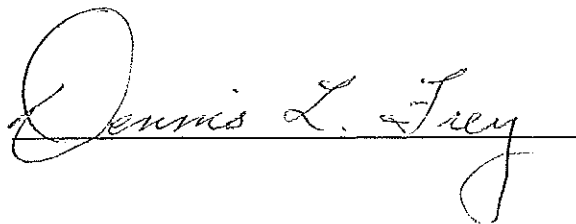


Shannon Cook, Mo. Bar No. 50169
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
(573) 751-1304

Attorney for the
Office of the Public Counsel

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 16th day of July 1999.



**SERVICE LIST FOR
CASE NO: EO-99-599
July 16, 1999**

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

William B. Bobnar
Ameren Services Company
1901 Chouteau Avenue
One American Plaza
P.O. Box 66146 (MC 1310)
St. Louis, MO 63166-6149

Victor S. Scott/Patrick A. Baumhoer
Andereck, Evans, Milne, Peace, & Baumhoer, L.L.C.
305 E. McCarty St., P.O. Box 1438
Jefferson City, MO 65102

Mark Kennedy, Esq.
P.O. Box 696
Poplar Bluff, MO 63901