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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of Union       )  
Electric Company and Gascosage Electric       )  
Cooperative for Approval of a Written Terri-    )  
torial Agreement Designating the Boundaries    )  
of Each Electric Service Supplier Within       )  
Portions of Camden, Miller, Maries, Pulaski,   )  
and Phelps Counties, Missouri.                )

Case No. EO-98-279

**ORDER ESTABLISHING PROCEDURAL SCHEDULE**

On January 5, 1998, Union Electric Company (UE) and Gascosage Electric Cooperative (Cooperative) filed a joint application with the Commission pursuant to Section 394.312, RSMo 1994, requesting approval of a territorial agreement between the joint applicants. On March 4 the Commission issued an order granting the intervention of Intercounty Electric Cooperative Association (Intercounty). On April 2 a prehearing conference was held at which all parties were represented.

On April 6 Intercounty filed a Motion for Extension of Time to Rule on Application and for Continuance on Behalf of Intercounty Electric Cooperative Association. Pursuant to Section 394.312.3, RSMo 1994, the Commission must act on this application not later than May 5 unless otherwise ordered for good cause shown. The Commission has determined that good cause has been shown to extend the date on which the Commission must act in order to accommodate the procedural schedule as set out below.

In addition, the Commission finds that the following conditions shall be applied to the procedural schedule.

A. The parties shall file a hearing memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing, definitions of essential terms, each party's position on the disputed issues, and the order of cross-examination. The hearing memorandum will set forth the issues that are to be heard and decided by the Commission. Any issue not contained in the hearing memorandum will be viewed as uncontested and not requiring resolution by the Commission. The Commission emphasizes the importance of the deadline for filing the hearing memorandum. Commission Staff will be responsible for preparing and filing the hearing memorandum, and, unless the Commission orders otherwise, the hearing memorandum shall be filed on or before the date set. Each party is directed to provide Staff with its position on each unresolved issue at least two business days prior to the filing deadline for the hearing memorandum. Each party shall either present the party's signature element (a signed page) or shall be available to sign the final draft at the offices of the General Counsel prior to the filing deadline. A hearing memorandum which is not signed is considered noncompliant and any party who fails or refuses to sign the final copy of the hearing memorandum is hereby ordered to file its own hearing memorandum, which follows the same numbering and topic outline, by the hearing memorandum filing date.

B. The parties should be prepared to give detailed closing arguments in lieu of briefs at the hearing. Briefs will be permitted after the close of the hearing, but will not be required.

**IT IS THEREFORE ORDERED:**

1. That the Motion for Extension of Time to Rule on Application and for Continuance on Behalf of Intercounty Electric Cooperative Association is granted.

2. That the time for the Commission to take action pursuant to Section 394.312.4, RSMo 1994, is extended for good cause shown until June 14, 1998.

3. That the following procedural schedule is adopted for this proceeding, subject to the conditions discussed above:

Direct testimony	-	April 20, 1998 3:00 p.m.
Rebuttal testimony	-	May 1, 1998 3:00 p.m.
Hearing Memorandum	-	May 7, 1998
Evidentiary hearing	-	May 14-15, 1998 9:00 a.m.

4. The evidentiary hearing will be held in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten days before the prehearing conference or hearing at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

5. That this order shall become effective on April 20, 1998.

BY THE COMMISSION

*Dale Hardy Roberts*

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Nancy Dippell, 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 8th day of April, 1998.

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COMMISSION COUNCIL  
PUBLIC SERVICE COMMISSION