

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY**

**May 26, 2000**

**CASE NO: EO-2000-774**

**Office of the Public Counsel**

P.O. Box 7800  
Jefferson City, MO 65102

**William B. Bobnar, Esq.**

AmerenUE  
1901 Chouteau Avenue  
P. O. Box 6149 (MC 1310)  
St. Louis, MO 63166-6149

**General Counsel**

Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**William E. Gladden, Esq.**

P. O. Box 217  
Houston, MO 65483

**Enclosed find certified copy of an ORDER and NOTICE in the above-numbered case(s).**

**Sincerely,**



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

**Uncertified Copies:**

**To the County Commissions of the counties covered by the Territorial Agreement.  
To the Electric Suppliers that serve the territory covered by the Territorial Agreement and  
to the municipal governments which operate municipal electric supply systems.**

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

In the Matter of the Application of Union	)	
Electric Company d/b/a AmerenUE and	)	
Intercounty Electric Cooperative Association	)	
for Approval of a Written Territorial	)	<b><u>Case No. EO-2000-774</u></b>
Agreement Designating the Boundaries of Each	)	
Electric Service Supplier Within Portions of	)	
Gasconade, Maries and Phelps Counties in	)	
Missouri	)	

**ORDER AND NOTICE**

On May 24, 2000, Union Electric Company, d/b/a AmerenUE (AmerenUE) and Intercounty Electric Cooperative Association (Intercounty), hereinafter jointly referred to as Applicants, pursuant to Section 394.312, RSMo 1994, filed a Joint Application requesting that the Commission: (1) find that the territorial agreement submitted by the Applicants is not detrimental to the public interest and approve the Territorial Agreement; (2) authorize the Applicants to perform in accordance with the terms and conditions of the Territorial Agreement; (3) find that the Territorial Agreement shall not impair AmerenUE's certificates of convenience and necessity, except as specifically limited by the agreement; and (4) approve changes to AmerenUE's tariffs.

Applicants have mutually agreed to displace competition between themselves as allowed by law and have set out the terms of their agreement in a document entitled "Territorial Agreement," which

is attached to the Application and marked as Exhibit A. The Territorial Agreement contains maps and legal descriptions which, according to the Application, represent the boundaries of each of the Applicants' respective service areas. Applicants have agreed not to serve new structures within the services areas of the other. The agreement does not affect service to existing structures and does not require transfer of any facilities or customers between the Applicants.

Notice of this Application should be sent to interested persons, an intervention date set and an expedited procedural schedule established, as the Commission must rule on the Application within 120 days from May 24, 2000 (September 21, 2000), unless otherwise ordered by the Commission for good cause shown.

The Commission determines that notice of this Application shall be given. The Commission's Records Department shall send a copy of this order to the County Commissions of the counties covered by the Territorial Agreement. In addition, the Commission's Records Department shall send a copy of this order to the other electric suppliers that serve the territory covered by the Territorial Agreement as listed in the application. The Commission further determines that the Information Officer of the Commission should provide notice to the members of the General Assembly representing the Applicants' service areas and to the newspapers which serve Applicants' service areas as listed in the newspaper directory of the current Official Manual of the State of Missouri.

Proper persons, wishing to intervene shall have twenty (20) days from the date of this order to file an application to intervene with the Secretary of the Commission and shall send a copy of the application to intervene to all parties as directed below.

The Applicants, Staff of the Missouri Public Service Commission and the Office of the Public Counsel shall file a proposed procedural schedule including a date for evidentiary hearing as ordered below.

**IT IS THEREFORE ORDERED:**

1. That the Records Department shall send a copy of this order to the County Commissions of Gasconade, Maries and Phelps Counties in Missouri. In addition, the Commission's Records Department shall send a copy of this order to the following electric suppliers that serve the territory covered by the Territorial Agreement: Crawford Electric Cooperative, Laclede Electric Cooperative, Gascosage Electric Cooperative, Howell-Oregon Electric Cooperative, Black River Electric Cooperative, Se-Ma-No Electric Cooperative, Three Rivers Electric Cooperative, and to the municipal governments of Rolla, Newburg, St. James and St. Robert, Missouri, which operate municipal electric supply systems.

2. That the Information Officer of the Missouri Public Service Commission shall send notice to the members of the General Assembly representing the Applicants' service areas and to the newspapers which serve Applicants' service areas as listed in the newspaper directory of the current Official Manual of the State of Missouri.

3. That any interested person wishing to intervene in this case shall file an application to intervene on or before June 15, 2000 with:

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

and serve a copy on:

William B. Bobnar, Esq.  
AmerenUE  
One Ameren Plaza  
1901 Chouteau Avenue  
Post Office Box 66149 (MC 1310)  
St. Louis, Missouri 63166-6149  
ATTORNEY FOR AMEREN SERVICES CO.

William E. Gladden, Esq.  
Post Office Box 217  
Houston, Missouri 65483  
ATTORNEY FOR INTERCOUNTY ELECTRIC COOPERATIVE  
ASSOCIATION

and

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

4. That the Applicants, Staff of the Missouri Public Service Commission and Office of the Public Counsel shall file a proposed procedural schedule on or before June 22, 2000, and such procedural schedule shall provide for a hearing to take place on or before August 25, 2000.

5. That this order shall become effective on June 5, 2000.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

( S E A L )

Morris Woodruff, Regulatory  
Law Judge, by delegation of  
authority pursuant to  
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 26th day of May, 2000.

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 26<sup>th</sup> day of May 2000.

*Dale Hardy Roberts*

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

