

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 21, 2001**

CASE NO: EO-2002-178

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copies:

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

In the Matter of the Joint Application of Union Electric)
Company and Gascosage Electric Cooperative for an)
Order Approving a Change in Electric Service Supplier)
for Certain Union Electric Company Customers for)
Reasons in the Public Interest; Authorizing the Sale,)
Transfer, and Assignment of Certain Electric Distribution)
Facilities, Substations, and Easements from Union)
Electric Company to Gascosage Electric Cooperative;)
and Approving the First Amendment to the Union)
Electric Company and Gascosage Electric Cooperative)
Territorial Agreement.)

Case No. EO-2002-178

ORDER GRANTING INTERVENTION

This order grants the interventions of the International Union of Operating Engineers, Local No. 148, AFL-CIO (OE Local 148), and the International Brotherhood of Electrical Workers Local 1455, AFL-CIO (IBEW Local 1455).

On October 10, 2001, Union Electric Company, d/b/a AmerenUE, and Gascosage Electric Cooperative filed a joint application for approval of an amended territorial agreement and the transfer of 1200 structures (change of suppliers) between the companies. On October 19, 2001, OE Local 148 requested permission to intervene. On October 24, 2001, IBEW Local 1455 filed an application for intervention. Both the OE Local 148 and the IBEW Local 1455 state that they represent 1000 of AmerenUE's employees, some of which may be directly affected by the proposed transaction. OE Local 148 states that its interests are different from that of the general public because it represents employees whose jobs could be directly impacted by the transfer of assets.

Gascosage and AmerenUE objected to the interventions. The companies argue that the interests of the union members are too remote and uncertain to rise to the level of an intervention. The companies also argue that the Commission's jurisdiction over the electric cooperative pursuant to Section 394.160.1, RSMo 2000, extends only to "providing for the safety of the public and the elimination or lessening of induction or electrical interference. . .and nothing herein contained shall be construed as otherwise conferring upon such Commission jurisdiction over the service, rates, financing, accounting or management of any such cooperative." Thus, the companies argue that the Commission is limited to public interest determination and that the Union members' interests do not reach the level of "public interest."

The unions filed responses to the companies' objections. The unions argue that because the application deals specifically with the transfer of structures, the construction of facilities, and the provision of electrical service, its members have "first-hand" knowledge of the current system's shortcomings and could be directly relevant to the Commission's public interest determinations.

The Commission has reviewed the application to intervene and finds that it is in substantial compliance with Commission rules regarding intervention and that the union members have an interest in this matter which is different from that of the general public. The Commission concludes that the OE Local 148 and the IBEW Local 1455's request for intervention should be granted. The OE Local 148 and the IBEW Local 1455 shall comply with the Commission's previously issued procedural orders.

IT IS THEREFORE ORDERED:

1. That the International Union of Operating Engineers, Local No. 148, AFL-CIO, is granted intervention.
2. That the International Brotherhood of Electrical Workers Local 1455, AFL-CIO, is granted intervention.
3. That this order shall become effective on December 1, 2001.

BY THE COMMISSION



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

(S E A L)

Nancy Dippell, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 21st day of November, 2001.

FYI: To Be Issued By Delegation

ALJ/Secretary:

Dippell/Ludke

Date Circulated

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Return by 3 p.m.

11-26

1004

CASE NO.

EO-2002-178

KS
Simmons, Chair

am
Murray, Commissioner

JA
Lumpe, Commissioner

JA
Gay, Commissioner

JA
Commissioner

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 21st day of Nov. 2001.

Dale Hardy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

