

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

In the Matter of the Application of Union)	
Electric Company d/b/a Ameren Missouri)	
for Permission and Approval and a Certificate)	
of Public Convenience and Necessity)	Case File No.: EA-2019-0021
Authorizing it to Construct a Wind Generation)	
Facility.)	

**RESPONSE OF DEKALB COUNTY TO AMEREN MISSOURI'S
OPPOSITION TO APPLICATION TO INTERVENE
OF DEKALB COUNTY, MISSOURI**

COMES NOW DeKalb County, Missouri by and through the County Commission composed of Presiding Commissioner Harold Allison, and Associate Commissioner Kyle White, and Associate Commissioner Gary McFee (collectively referred to hereafter as “DeKalb County”), by and through its counsel Ivan L. Schraeder, of counsel to The Wagner Law Group, and files the Response of DeKalb County to Ameren Missouri’s Opposition to Application to Intervene of DeKalb County, by stating as follows:

1. DeKalb County, Missouri is a political subdivision created under the laws of Missouri as a third class county with its principal place of business located in Maysville, Missouri.
2. DeKalb County, Missouri is interested in this litigation because any decision issued in this matter may serve to reduce general revenue payable to the County from taxes that are now payable for the wind power properties that may be lost by virtue of changes requested by Petitioner in this pending matter for determination of Ameren’s request, such grant of Ameren’s request could have a permanent and direct adverse impact on County income, and on its operations and the services provided to the citizens of DeKalb County, Missouri if the

“substantial “head start” suggested by Ameren in its Application is picked up and applied to this matter.

3. DeKalb County understands that any decision issued in this matter is not binding or precedential under normal circumstances. However, as noted in Ameren’s Application for a CNN, Ameren seeks to have the principles applied in the High Prairie case be applied to this matter because of the “similarity of the project structure and the key terms of the High Prairie’s project . . . including a build-transfer agreement”. See Para #24 of Ameren’s Application.

4. Ameren also seeks to have the “substantial discovery” in High Prairie matter be used as relevant in this matter so as to provide “a substantial “head start” on reviewing this filing.” The High Prairie matter involved Adair County and Schuyler County. PSC Case No. EA-2018-0202. See Para #24 of Ameren’s Application.

5. DeKalb County does not want to be controlled by Ameren’s ability to bring non-controlling facts from other cases to this matter as Ameren is now trying to do to short cut these proceedings.

6. It is inconsistent for Ameren to argue that DeKalb County should be not permitted to intervene when DeKalb County is faced with the prospect that the facts in the High Prairie case and the facts as presented in this matter may be applied to DeKalb County at some future date without the ability to argue and be involved in this matter as those discovery issues and evidence provide “a substantial “head start” on reviewing this filing” as suggested by Ameren.

7. It is a matter of the public interest of the citizens of DeKalb County be involved so that non-precedential evidence and decisions as are suggested by Ameren be actively used in cases such as this matter that may be used later to influence and control decisions in a matter in which DeKalb County is directly involved, even though not precedential as of now.

8. Ameren is seeking to prevent DeKalb County's intervention on the same basis that Ameren argues the facts and other non-precedential evidence and decisions should be considered in this case for convenience. Ameren cannot have it both ways.

WHEREFORE, DeKalb County respectfully requests that the Commission deny Ameren's opposition to DeKalb County's intervention and to grant DeKalb's Application to Intervene, along with any further relief the Commission deems just and proper.

Respectfully submitted by:

/s/ Ivan L. Schraeder

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing has been emailed, this 7th day of November, 2018, to counsels for the parties of record and for proposed intervenors.

/s/ Ivan L. Schraeder