

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

In the matter of the Application of	)	
Thomas L. Chaney for a Change of	)	
Electric Service Provider from Cuivre	)	<b><u>Case No. EO-2011-0391</u></b>
River Electric Cooperative to Union	)	
Electric Company d/b/a American	)	
Missouri	)	

**RESPONSE OF CUIVRE RIVER ELECTRIC COOPERATIVE**

COMES NOW Cuivre River Electric Cooperative, Inc., (CREC) by and through its undersigned counsel, and for its Response to the Application of Thomas L. Chaney for Change of Electric Service Provider respectfully states the following:

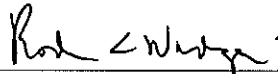
1. CREC acknowledges that it provides electric energy and service to Mr. Chaney at his residence.
2. CREC opposes the application of Mr. Chaney for the following reasons:
  - a. Mr. Chaney has not alleged sufficient cause under Missouri statutes to support a finding that a change of supplier is in the public interest.
  - b. Mr. Chaney has not alleged that there is any deficiency in the electric service provided by CREC as his energy provider.
  - c. Mr. Chaney's stated purpose for change of supplier is that he might be able to participate in a rebate program offered "for solar power". A rebate is a feature of electric rates and a change of supplier may not be ordered for reason of rates.
  - d. CREC is without information pertaining to eligibility and participation of Union Electric Company customers in a rebate program related to solar power. CREC affirmatively states that CREC is subject to Missouri's "Net Metering and Connection Act" as set forth in Section 386.890, RSMo, for the benefit of its members.

e. CREC respectfully suggests that it is not in the public interest that individual customers be allowed to change electric suppliers on the basis of rebates and programs that may be available to all customers but not necessarily practical for all of these customers, and that such programs may be temporary in nature. The long term cost to electric suppliers, the natural resulting increase in the amount of duplicated service facilities, and the uncertainty created for service reliability responses, all tend to outweigh the monetary benefits that may be enjoyed by an individual customer.

3. Correspondence, orders, and other communications regarding this application shall be directed to the undersigned.

Respectfully submitted,

**ANDERECK, EVANS, WIDGER,  
JOHNSON & LEWIS L.L.C.**

By:   
Rodric A. Widger, #31458  
3816 S. Greystone Court, Suite B  
Springfield, MO 65804  
(417) 864-6401 Phone  
(417) 864-4967 Facsimile

ATTORNEYS FOR  
CUIVRE RIVER ELECTRIC  
COOPERATIVE, INC.

**CERTIFICATE OF SERVICE**

The undersigned certifies that a complete copy of the foregoing was served upon:

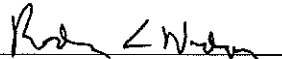
General Counsel  
P.O. Box 360  
200 Madison Street, Suite 800  
Jefferson City, MO 65102

Lewis R. Mills, Jr.  
P.O. Box 2230  
200 Madison Street, Suite 650  
Jefferson City, MO 65102

Union Electric Company  
Legal Department  
1901 Chouteau Avenue  
P.O. Box 66149, Mail Code 1310  
St. Louis, MO 63166-6149

Thomas L. Chaney  
1110 St. Theresa Lane  
O'Fallon, MO 63368

By e-mail and/or enclosing same in envelopes addressed to the attorneys of record of said parties at their business addresses as disclosed in the pleadings of record therein, with first class postage fully prepaid, and by depositing said envelope in a U.S. Post Office mail box in Springfield, Missouri, on July 6, 2011.

  
Rodric A. Widger