

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

FILED

JUL 9 1999

Missouri Public
Service Commission

In The Matter of the Application of Union)
Electric Company d/b/a AmerenUE and Ozark)
Border Electric Cooperative for Approval of a)
Written Territorial Agreement Designating the)
Boundaries of Each Electric Service Supplier)
within Portions of Bollinger, Butler, Carter,)
Dunklin, Iron, Madison, New Madrid, Reynolds,)
Ripley, Stoddard and Wayne Counties;)
Authorizing the Sale, Transfer, and Assignment)
of Certain Electric Distribution Facilities,)
Easements and Other Rights Generally)
Constituting the Applicant's Electric Utility)
Business Associated with Its Customers)
Transferred Pursuant to the Territorial)
Agreement.)

Case No. EO-99-599

**OFFICE OF THE PUBLIC COUNSEL'S REQUEST
FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its
Request for Local Public Hearing herein states as follows:

1. On June 16, 1999, Union Electric Company d/b/a AmerenUE and Ozark
Border Electric Cooperative (jointly, Applicants) filed a Joint Application for approval of
their Territorial and Exchange Agreement (the Agreement) pursuant to § 394.312(4)
RSMo (1994).

2. In their Joint Application at paragraph (11) Applicants state:

The transfer of electric service to the Cooperative from
AmerenUE, pursuant to the Contract, will result in reduced rates
for the transferred customers. A rate comparison for three (3)
customer usage patterns – 500 KWHR, 750 KWHR to 1000
KWHR, is attached as Exhibit I, is incorporated by reference and
made a part hereof for all purposes. The rate comparison shows
that for all analyzed usage patterns a Customer's annual cost of
service from Cooperative will be less than from AmerenUE
(emphasis added).

3. Apparently, if Applicants' Agreement were adopted as written, a rate increase would result for the approximately 427¹ customers whose electric service would be transferred from the Cooperative to Union Electric. Nearly all of those customers are located in the Dexter area in Stoddard County, Missouri.

4. Public Counsel received the Petition attached as Exhibit A hereto, purporting to be signed by 134 individuals whose electric service would be transferred to Union Electric if the Stoddard County portion of the proposed Agreement were approved by the Commission as it now reads. The Petition states that the signing individuals are opposed to having their electric service transferred to Union Electric, and that they desire a local public hearing in Dexter before the Commission makes a ruling on the Joint Application.

5. Public Counsel has also been contacted by e-mail and telephone by several of the Dexter area customers, all of whom are currently customers of the Cooperative who are opposed to the transfer to Union Electric. Public Counsel has not received any negative comments from customers outside Stoddard County who would be affected by the Agreement but would be transferred to the Cooperative.

6. Public Counsel believes that there is more than sufficient interest among customers in the Dexter area to justify the scheduling of a local public hearing in order to allow members of the public an opportunity to testify concerning the issues raised by the Applicants' Agreement and Joint Application.

7. In order to ensure that the public has adequate notice of the requested local public hearing, Public Counsel suggests the following:

¹ This figure was derived from the number of addresses on the customer list provided in Exhibit F attached to Applicants' Agreement, attached to their Joint Application in this case.

a. Notice of the time, date and location of the local hearing, along with information regarding the amount of the proposed rate increase and the approximate percentage of the proposed increase, should be given to each affected customer, either by an imprint on the customer's monthly billing or a bill insert, or a separate mailing not more than 45 days or less than ten days prior to the date of the public hearing;

b. The newspapers in the relevant service areas, as listed in the current *Official Manual of the State of Missouri*, should be notified of the proposed increase as well as the date, time and location of the public hearing, not less than ten days before the date scheduled for the hearing, and should be requested to publish such notice seven and three days before the hearing in each newspaper's area;

c. Similar notice should be given to any radio and television stations in each area, not less than three days before the public hearing.

WHEREFORE, Public Counsel requests that the Commission issue its Order scheduling at least one local public hearing in this matter, more particularly in the city of Dexter in Stoddard County, Missouri, providing adequate notice to the public as requested herein, and for such other and further orders as the Commission deems necessary.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL



Shannon Cook #50169

Assistant Public Counsel

301 East High Street, P.O. Box 7800

Jefferson City, MO 65102-7800

Telephone: (573) 751-1304

Facsimile: (573) 751-5562

Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing has been mailed, hand-delivered or faxed to all counsel of record as shown on the service list below this 9 day of July, 1999.



L. D.

I am a customer of Ozark Border Electric Cooperative in the Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am **OPPOSED** to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address
3/13/99	LAWRENCE DULEY	Lawrence Duley	13668 Co. Rd. 431 - Dexter
3/13/99	David Duley	David Duley	13913 Co Rd. 431 - Dexter
3/13/99	MARIAN DULEY	Marian Duley	13668 Co. Rd. 431 - Dexter
3/13/99	Fam L. Duley	Fam L. Duley	13413 Co Rd 431 Dexter, MO
3/12/99	ALLAN McCollough	Allan McCollough	13595 N Lakeview Dr. Dexter
3/12/99	Leda McCollough	Leda McCollough	13595 N Lakeview Dr. Dexter
3/13/99	JOHN VAUGHN	John Vaughn	13289 N. Lakeview Dr. Dexter, MO
3/13/99	Lucille Vaughn	Lucille Vaughn	13289 N. Lakeview Dr. Dexter, MO
3/13/99	Jerry Caldwell	Jerry Caldwell	13591 N. LAKEVIEW DR DEXTER MO
3/13/99	Melissa Caldwell	Melissa Caldwell	13591 N. LAKEVIEW DR DEXTER MO
3/13/99	Paul E. Hann	Paul E. Hann	16097 CR. 480 Dexter Mo.
3/13/99	Brenda K. Hann	Brenda K. Hann	16097 CR. 480 Dexter Mo.
3/13/99	Jerry Eddy	Jerry Eddy	16041 CR. 470 - Dexter, MO.
3/13/99	Rodney Vaughn	Rodney Vaughn	16064 CR 470 DEXTER, MO.
3-13-99	Charlotta Vaughn	Charlotta Vaughn	16064 CR 470 Dexter MO
3-13-99	Gaine Roberts	Gaine Roberts	13741 Cold 431 Dexter, Mo. 63841
3/13/99	LARRY BABER'S	Larry Baber's	" " " " " "
3-14-99	Alan Jones	Alan Jones	13799 Co 431 Dexter, MO 63841
3-14-99	Sharon Layton	Sharon Layton	" " " " " "
3-16-99	Grant - Geneia Snyder	Grant - Geneia Snyder	13787 Co Rd 431 Dexter MO 63825
3-16-99	CARI HIGGINS	Cari Higgins	13777 CR 431 DEXTER, MO
3-16-99	J. L. & Dorothy Bledsoe	J. L. & Dorothy Bledsoe	15896 County Rd 480
3-16-99	Betty Gilton	Betty Gilton	13641 County Rd 431 Dexter Mo
3-12-99	MARYLYN HUNT	Marylyn Hunt	15825 County Rd 480 DEXTER, MO
3-12-99	FRED HUNT	Fred Hunt	15825 County Rd 480 DEXTER,

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Date	Name (PLEASE PRINT)	Signature	Street Address
3-12-99	LouAnn Galloway	LouAnn Galloway	11367 Flowers Dr.
3-12-99	Mike Galloway	Mike Galloway	11367 Flowers Dr.
3-15-99	Ron Sells	Ron Sells	11625 Fairview Cr.
3-15-99	Peggy Sells	Peggy Sells	11625 Fairview Cr.
3-15-99	W.T. Kane	W.T. Kane	11686 Amy Lane
3-15-99	Brown Kane	Brown Kane	11686 Amy Lane
3-15-99	DAN McCORD	Dan McCord	11033 Co Rd 637 *
3-15-99	SHARON McCORD	Sharon McCord	11033 Co Rd 637 *
3-15-99	Kennie Stearns	Kennie Stearns	14288 State Hwy H-E *
3-15-99	Carrie & Wade Stearns	Carrie Stearns	Finley Dr. *
3-15-99	Dallan & Marka Buchanan	Marka Buchanan	County Rd 624 Dexter
3-15-99	ALMA HART	Alma Hart	15497 STATE Hwy AF
3-15-99	ALAN HART	Alan Hart	15497 STATE Hwy AF
3-15-99	David Clark	David Clark	14940 Doral Drive
3-15-99	Carla Miller	Carla Miller	13705 County Rd 612 *
3-15-99	Lennie Dooly	Lennie Dooly	13708 Co Rd 612 *
3-15-99	Roy L Dooly	Roy L Dooly	13708 Co Rd 612 *
3-15-99	Greg Miller	Greg Miller	13705 County Rd 612 *
3-15-99	Jim Johnson	Jim Johnson	
3-15-99	Sandra Johnson	Sandra Johnson	403 Anna Dr.
3-15-99	DILL TERNES	Dill Ternes	11472 Country LN
3-16-99	DAM TERNES	Dam Ternes	11472 Country LN
3/15/99	Vince Coburn	Vince Coburn	11274 Quail Hollow Circle
3/15/99	Sandra Clark	Sandra Clark	14940 Doral Drive
3/15/99	Sam Sayre	Sam Sayre	14074 County Rd 612

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Date	Name (PLEASE PRINT)	Signature	Street Address	
3/12/99	Jerry Jenkins	Jerry Jenkins	15475 Co Rd 604 Dexter Mo	624-582
3/12/99	Tina Griffin	Tina Griffin	13695 CR 431 Dexter Mo	624-3810
3/12/99	Charles Tipton	Charles Tipton	15774 City Rd 604 Part	624-5472
3/12/99	VALLIE Griffin	Vallie Griffin	13695 CR 431 Dexter Mo	624-3810
3/12/99	Debbie Tipton	Debbie Tipton	15774 CR 604	624-5472
3/12/99	Shari Stickles	Shari Stickles	17267 Pond Lane, Dexter MO	624-5893
3/12/99	Terry Stickles	Terry Stickles	17267 Pond Lane Dexter	624-5893
3/12/99	CURT BEADLE	Curt Beadle	17540 DEE MAR LANE DEXTER	624-3861
3/12/99	Sheila Beadle	Sheila Beadle	17540 Dee Mar LN Dexter mo	624-3861
3/14/99	Faustina Barker	Faustina Barker	16974 County Road 466 Dexter	624-4411
3-14-99	Turner Christian	Turner Christian	15165 County road 413 Dexter	624-438
3-14-99	CHARLORACHRISTIAN	Chlor Christian	15165 COUNTY Rd 413 DEXTER Mo.	624-438
3/14/99	Georgia Robinson	Georgia Robinson	17255 Robinson LN Dexter mo	
3/14/99	Robert Kersay	Robert Kersay	17067 Robinson Dexter mo	624-598
3/14	Robert Kersay	Robert Kersay	17067 Robinson Dexter	624-598
3/14/99	Lee Chamberlain	Lee Chamberlain	17820 Co Rd 413 Dexter mo	
3/14/99	Wanda Chamberlain	Wanda Chamberlain	17810 " " " " Dexter mo	624-5219
3/14/99	Terry Diebold	Terry Diebold	14257 Co Rd 413	624-4276
3/14/99	Luis Diebold	Luis Diebold	" " " " " "	
3-14-99	Donita Lintz	Donita Lintz	15687 Co Rd 413	624-4519
3-14-99	Geg Lintz	Geg Lintz	15687 Co Rd 413	624-4519
3-14-99	A. Hisaw	A. Hisaw	16881 N. Outer Rd	624-4624
3/14/99	J.C. BEARD	J.C. Beard	13739 Co Rd 413 DEXTER, MO.	624-607
3/14/99	MARC A Beard	Marcin Beard	13739 Co Rd 413 Dexter Mo	624-607
3-15-99	George Hampton	GEORGE HAMPTON	12572 State Hwy 22 Dexter	

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Date	Name (PLEASE PRINT)	Signature	Street Address
3/15	Michael Duley	Michael Duley	16315 Co Rd 460
3/15	Judy Duley	Judy Duley	16315 Co Rd 460
3/15	BEULAH SHIPMAN	Beulah Shipman	13889 Co Rd 403
3/15	Doug Shipman	Doug Shipman	13983 Co Rd 403
3/15	L. David Fleming	L. David Fleming	13886 Co Rd 403
3/15	Betty M. Fleming	Betty Fleming	13886 Co Rd 403
3/15	Jim Gibson (Alvin)	Jim Gibson	14033 Co Rd 405
3/15	Teresa Gibson	Teresa Gibson	14033 Co Rd 405
3/15	GAIL GIBSON	GAIL GIBSON	13973 Co Rd 405
3/15	Dennis Gibson	Dennis Gibson	13973 Co Rd 405
3/15	Jeffery Bush	Jeffery Bush	17187 Pond Lane
3/15	Cynthia Bush	Cynthia Bush	17187 Pond Lane
3/15	Emi Sitze	Emi Sitze	17525 Dee Mar Lane
3/15	Delisa Sitze	Delisa Sitze	17525 Dee Mar Ln
3/12	Al Mohamed		13292 NW 26th Ave Dexter
	Nazila Mohamed		" " " "
3/17	Bob Lilly	Bob Lilly	16353 Co Rd 460 Dexter, Mo.
3/17	Elizabeth Lilly	Elizabeth Lilly	16353 Co Rd 460 Dexter Mo.
3/17	Rocky D. Moon	ROCKY MOORE	17358 POND LN DEXTER MO
3/17	Robin M. Moon	ROBIN MOORE	" " "
3/17	Elmer L. Hoosier	Elmer L. Hoosier	16507 Co Rd 460 Dexter Mo
3/17	Susy L. Hoosier	Susy L. Hoosier	16507 Co Rd 460 Dexter Mo

D.C.

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Date	Name (PLEASE PRINT)	Signature	Street Address
3/15/99	Lisa Sayre	Lisa Sayre	14074 County Rd 612
3/15/99	Silas Sayre	Silas Sayre	14072 County Rd
3/15/99	Jerry Jarrell	Jerry Jarrell	14178 Cty Rd 612 *
3/15/99	Vicky Jarrell	Vicky Jarrell	14178 Cty Rd. 612 *
3/15/99	Nita Lemons	Nita Lemons	14254 Tamarak Ln.
3/15/99	BENNY Lemons	Benny Lemons	14254 Tamarak Ln.
3/15/99	Ron Atherton	Ron Atherton	14557 CR 616
3/15/99	Judi Atherton	Judi Atherton	14557 CR 616
3/15/99	Debbie ESSNER	Debbie Essner	11455 Cypress Pt.
3/15/99	Kenneth Essner	Kenneth Essner	11455 Cypress Pt.
3/15/99	J. ALLEN Fitts	J. Allen Fitts	11327 Cypress Pt.
3/15/99	Kimberly A. Fitts	Kimberly A. Fitts	11327 Cypress Pt. W.
3-15-99	Tim Pence	Tim Pence	11725 Fairway Circle
3-15-99	Nancy Pence	Nancy Pence	" " "
	HAROLD A Roy	Harold Roy	11691 Fairway Circle Dr
	Shannon Cook	Shannon Cook	11642 Fairway Circle Dr. *
3/15/99	Christine D. Scott	Christine D. Scott	11326 QUAIL Hollow CR DEXTER
3/15/99	GREGORY D. SCOTT	Gregory D. Scott	11326 QUAIL Hollow CR. DEXTER

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