

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

In the matter of the Application of)	
Travis Miller for a Change of)	
Electric Service Provider from Union)	<u>Case No. EO-2012-0121</u>
Electric Company d/b/a Ameren)	
Missouri to Ozark Border Electric)	
Cooperative)	

RESPONSE OF OZARK BORDER ELECTRIC COOPERATIVE

COMES NOW Ozark Border Electric Cooperative (OBEC) by and through its undersigned counsel, and for its Response to allegations contained in the Application of Travis Miller for Change of Electric Service Provider respectfully states the following:

1. OBEC acknowledges the name and address of the Applicant Travis Miller.
2. OBEC acknowledges that AmerenUE is Applicant's current electric service provider and that AmerenUE has the right to continue to serve him in his current structure.
3. OBEC acknowledges that OBEC electric facilities cross Applicant's property and that OBEC has provided to Applicant an estimate of the costs he must pay for relocation of facilities in aid of his building plans.
4. OBEC is not eligible to serve Applicant's proposed building site by virtue of mutual constraints imposed by a territorial agreement between AmerenUE and OBEC approved by the Commission.
5. OBEC is without knowledge of the quality of service provided by AmerenUE to Applicant.

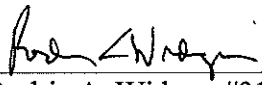
6. OBEC suggests that Applicant's relief involving service to a new structure, if any, must be ordered in terms of amendment to the Territorial Agreement under Section 394.312 RSMo. rather than as a change of supplier pursuant to Section 343.106 RSMo.

7. OBEC respectfully suggests that amendment of a Territorial Agreement that has been approved as not detrimental to the public interest should rest in the initiative of the parties to that agreement.

8. Correspondence, orders, and other communications regarding this application should be directed to the undersigned.

Respectfully submitted,

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

By: 
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ATTORNEYS FOR
OZARK BORDER ELECTRIC
COOPERATIVE

CERTIFICATE OF SERVICE

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

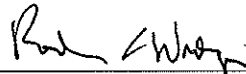
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By e-mail and/or enclosing same in envelopes addressed to the attorneys of record of said parties at their business addresses as disclosed in the pleadings of record therein, with first class postage fully prepaid, and by depositing said envelope in a U.S. Post Office mail box in Springfield, Missouri, on NOVEMBER 17, 2011.



Rodric A. Widger