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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 31st  
day of August, 1999.

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, Dunklin, Carter, Dunklin, Iron,	)	
Madison, New Madrid, Reynolds, Ripley	)	<u>Case No. EO-99-599</u>
Stoddard and Wayne Counties, Authorizing	)	
the Sale, Transfer, and Assignment of	)	
Certain Electric Distribution Facilities,	)	
Easements and Other Rights, Generally	)	
Constituting the Applicants' Electric	)	
Utility Business Associated with its	)	
Customers Transferred Pursuant to the	)	
Territorial Agreement	)	

ORDER GRANTING INTERVENTION OUT OF TIME

On June 16, 1999, Union Electric Company d/b/a AmerenUE and Ozark Border Electric Cooperative (Ozark Border) filed their Joint Application for approval of their agreement contained in a document entitled Territorial Agreement (territorial agreement).

On June 24, 1999, the Missouri Public Service Commission (Commission) entered its Order and Notice, stating, *inter alia*, that proper parties should be given notice and an opportunity to intervene. The order and notice also stated that any interested party wishing to intervene in this case shall file an application to do so no later than

July 14, 1999.

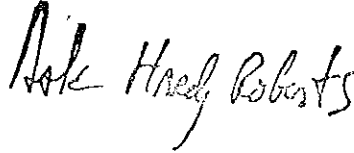
On August 16, 1999, the City of Malden, Missouri (Malden) filed its application to intervene. Malden stated that on August 12, 1999, it received a copy of the Commission's Order Establishing Procedural Schedule, etc., which was issued on August 10, 1999. For its good cause for applying for intervention out of time, Malden stated that this was the first notice it had received concerning this case. Malden stated that it is a political subdivision of the State of Missouri, and that it provides electric service through its municipally-owned and operated municipal utilities. Malden stated that it opposes the relief sought by Ozark Border in the territorial agreement regarding the provision of electric service by Ozark Border in Dunklin County (which is the location of Malden). Malden stated that it was aware of the pleadings filed by the City of Poplar Bluff, which was earlier granted intervention. Malden stated that its interests will be similar to those of Poplar Bluff and that its intervention at this time will not prejudice any other party.

Commission rule 4 CSR 240-2.075(4) states in part: "The [public service] commission may permit intervention on a showing that . . . [t]he applicant is a municipality. . . ." The Commission has reviewed the application to intervene filed by Malden and finds that it is in compliance with Commission rule 4 CSR 240-2.075(4) in that Malden is a municipality.

**IT IS THEREFORE ORDERED:**

1. That the application of the City of Malden, Missouri, to intervene out of time is granted on a showing of good cause.
2. That this order shall become effective on September 10, 1999.

**BY THE COMMISSION**



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

( S E A L )

Lumpe, Ch., Crumpton, Murray,  
Schemenauer, and Drainer, CC., concur

Hopkins, Senior Regulatory Law Judge

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION