

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

OCT 14 1997

In the Matter of the Application of Union)
Electric Company for Approval of an)
Experimental Retail Wheeling Pilot.)

Case No. EO-98-95

MISSOURI
PUBLIC SERVICE COMMISSION

APPLICATION TO INTERVENE

Comes now Trigen-St. Louis Energy Corporation ("Trigen-St. Louis"), by and through its counsel, and pursuant to 4 CSR 240-2.075 for its Application to Intervene hereby states as follows:

1. Trigen-St. Louis is a Missouri Corporation, with its offices in St. Louis, Missouri. Trigen-St. Louis is the owner of the Ashley Plant, which was purchased from Union Electric Company in 1984. Prior to said sale, Union Electric utilized the Ashley Plant to produce steam for a downtown steam loop and electricity for retail sales under the jurisdiction of this Commission. Since its acquisition, the Ashley Plant has been used to generate steam for use in the downtown steam loop, which was purchased from Union Electric by Bi-State Development Agency. This steam distribution system was later transferred to the Solid Waste Management and Development Corporation ("SWMDC"), a Missouri not-for-profit corporation controlled by the City of St. Louis. Trigen-St. Louis, which recently acquired the Ashley Plant from the original purchaser, Thermal Resources, acts as an agent of SWMDC for the purpose of managing and operating the steam distribution system.

2. Trigen-St. Louis is a wholly-owned subsidiary of Trigen Energy Corporation ("Trigen"). Trigen owns 13 district energy systems producing steam, chilled water and electricity. The interest of Trigen-St. Louis in this docket stems from the following facts: 1) Trigen-St. Louis was a party, and signatory to the Stipulation and Agreement, in Case No. EM-

96-149 (Union Electric Merger), from which this present case arose; 2) Trigen-St. Louis is a major customer of Union Electric, and uses electricity from Union Electric in a manner and amount different from that of the general public, which could be affected by the proposed experimental retail wheeling pilot; 3) Union Electric and Trigen-St. Louis are direct competitors in the St. Louis energy services market in the St. Louis area and, therefore, Trigen-St. Louis has an interest, different from the general public, in ensuring that the proposed experimental retail wheeling pilot program is just and reasonable and that said pilot program will not produce an unfair competitive advantage to Union Electric nor an unfair detriment to the operations of Trigen-St. Louis; and 4) Trigen-St. Louis is a potential cogenerator of electricity and, in that event, would require transmission and other services from Union Electric which could be affected by the proposed pilot program. Therefore, Trigen-St. Louis has an interest in this docket different from that of the general public. Based on the information currently available, Trigen-St. Louis neither supports or opposes the proposed pilot program at this time but reserves the right to take an appropriate position once more facts are known.

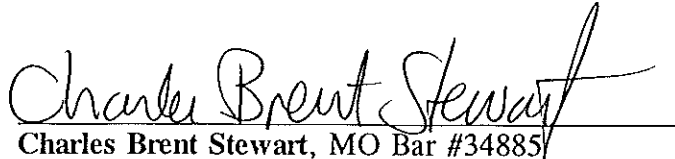
3. Copies of orders, pleadings and correspondence in this matter should be sent to the following:

Daniel C. Dennis
Trigen St. Louis Energy Corporation
One Ashley Place
St. Louis, Missouri 63102

Brent Stewart
Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia, Missouri 65201-7931

WHEREFORE, having stated grounds for intervention and interest in this proceeding, Trigen-St. Louis requests that it be granted intervenor status in this case and for such further relief as to this Commission may seem just and proper.

Respectfully submitted,

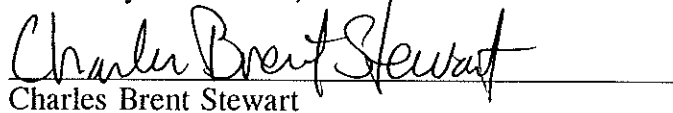
A handwritten signature in cursive script, reading "Charles Brent Stewart", written over a horizontal line.

Charles Brent Stewart, MO Bar #34885
STEWART & KEEVIL, L.L.C.
1001 Cherry Street, Suite 302
Columbia, Missouri 65201-7931
(573) 499-0635, (573) 499-0638 (facsimile)

Attorney for Trigen-St. Louis Energy Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been duly served on counsel for Union Electric Company, the General Counsel's Office of the Public Service Commission and the Office of the Public Counsel, either by hand-delivery or by placing a copy thereof in the United States mail, postage pre-paid on this 14th day of October, 1997.

A handwritten signature in cursive script, reading "Charles Brent Stewart", written over a horizontal line.
Charles Brent Stewart