

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

AUG 26 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)
Applicants' Electric Utility Business)
Associated with its Customers)
Transferred Pursuant to the)
Territorial Agreement)

Case No. EO-99-599

MOTION TO INTERVENE OUT OF TIME

Come now 400 customers more or less, of Ozark Border Electric Cooperative, collectively referred to as the "Stoddard County Intervenors, by and through their attorneys, Patricia D. Perkins, and Hendren and Andrae, L.L.C., and request leave to intervene out of time for good cause. In support of said motion, the Stoddard County Intervenors state as follows:

1. On June 16, 1999, Ozark Border Electric Cooperative and AmerenUE filed for approval by the Missouri Public Service Commission a territorial agreement defining the electric service area of both utilities.

2. On June 24, 1999, the PSC issued an order that established an intervention deadline of no later than July 14, 1999, for any interested party to intervene in the case.

3. The residents of Stoddard County affected by the territorial agreement that is the subject herein received the attached notice which refers to intervention, and states that the recipient is "a customer of Ozark Border that is being effected (sic) by the Territorial Agreement," but does not specifically inform the customer that he/she will become a customer of AmerenUE.

4. Based upon the notice, the Ozark Border customers receiving this notice were under the impression that if they submitted their opposition in writing to the Public Service Commission by July 14, 1999, they had effectively intervened. The customers receiving this notice were not aware that an application to intervene in this case filed by an attorney was necessary until it was pointed out at the public hearing held one week ago today, on August 19, 1999.

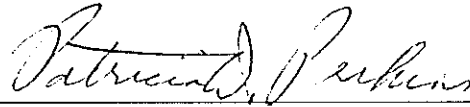
5. The PSC's granting of intervention to the Stoddard County Intervenors in this cause of action will not materially hinder or delay the proceedings, nor bias or prejudice any party.

6. The Stoddard County Intervenors were made aware today that rebuttal testimony by them would be due at 3:00 p.m. tomorrow, August 27, 1999. While it appears impossible for the Stoddard County Intervenors to meet that deadline, the Intervenors are in hopes of having their rebuttal testimony filed early next week.

Wherefore, for the foregoing reasons, having good cause shown, the Stoddard County Intervenors respectfully request leave to intervene out of time.

Respectfully requested,

HENDREN AND ANDRAE, L.L.C.

A handwritten signature in cursive script, reading "Patricia D. Perkins". The signature is written in dark ink and is positioned above a horizontal line.

Patricia D. Perkins, #29606

221 Bolivar Street

P.O. Box 1069

Jefferson City, MO 65102

(573) 636-8135

(573) 636-5226 (Facsimile)

Attorneys for Stoddard County Intervenor

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document by mailing a true copy thereof on this 26 day of August, 1999, via prepaid U.S. Mail, to:

Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

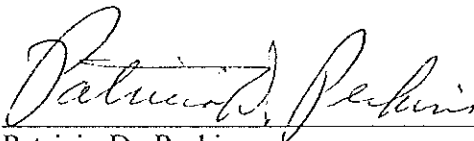
William B. Bobnar
Ameren Services Company
1901 Chouteau Avenue
One American Plaza
P.O. Box 66146 (MC 1310)
St. Louis, MO 63166-6149

Victor S. Scott/Patrick A. Baumhoer
Andereck, Evans, Milne, Peace & Baumhoer, L.L.C.
305 E. McCarty Street, P.O. Box 1439
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Mark Kennedy
Attorney at Law
P.O. Box 696
Poplar Bluff, MO 63901

Gary W. Duffy
Brydon, Swearengen & England, P.C.
312 E. Capitol Avenue, P.O. Box 456
Jefferson City, MO 65102


Patricia D. Perkins



Ozark Border Electric Cooperative

U.S. Highway 67 South, P.O. Box 400
Poplar Bluff, Missouri 63902-0400

July 2, 1999

Phone: (573) 785-4631
Fax: (573) 785-1853
Toll Free: (800) 392-0567

RE: Ozark Border and AmerenUE Request for Approval of A Territorial Agreement.
Case No. EO-99-599

Dear Ozark Border Electric Cooperative Customer:

Ozark Border Electric Cooperative and AmerenUE have finalized the Territorial Agreement that defines the electric service area of both utilities. On June 16, 1999, Ozark Border and AmerenUE filed for Missouri Public Service Commission approval of this agreement. On June 24, 1999, the Public Service Commission issued an order that: established an intervention date of no later than July 14, 1999, for any interested party wishing to intervene in the case; established a hearing date for August 23, 1999 at 9:00 A.M. in the Commission's hearing room on the 5th floor of the Harry S. Truman State Office Building; and required Ozark Border and AmerenUE to provide notice to their effected customers of the requested approval of the Territorial Agreement and customer exchange.

As a customer of Ozark Border that is being effected by the Territorial Agreement you have the right to intervene in this case. Anyone wishing to intervene must submit an application to intervene, referencing Case No. EO-99-599, to:

Secretary of the MO Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

with copies of the application being sent to:

William B. Bobnar, Esq.
Attorney at Law
Ameren Services Company
One Ameren Plaza
P. O. Box 66146 (MC 1310)
St. Louis, MO 63166-6149

Mark Kennedy, Esq.
Attorney at Law
P. O. Box 696
Poplar Bluff, Mo. 63902-0969

Office of Public Counsel
P. O. Box 7800
Jefferson City, Mo. 65102

If you have any questions regarding the Territorial Agreement and how it may effect you and were unable to come to one of the informational meetings held in March of this year, please feel free to call us at 1-800-392-0567.

Sincerely,

OZARK BORDER ELECTRIC COOPERATIVE

Stanley Estes

Stanley Estes
General Manager

SE:msh

JK - 6 1999