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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS  
Hearing  
August 26, 1998  
Jefferson City, Missouri  
Volume 1

In the Matter of the Application of )  
Union Electric Company d/b/a )  
AmerenUE and Farmers' Electric )  
Cooperative for Approval of a )  
Written Territorial Agreement )  
Designating the Boundaries of Each )  
Electric Service Supplier within )  
Portions of Caldwell, Carroll, )  
Chariton, Clinton, Daviess, DeKalb, )  
Linn, Livingston, and Ray Counties; )  
Authorizing the Sale, Transfer, and )  
Assignment of Certain Electric ) Case No. EO-98-511  
Distribution Facilities, Easements, )  
and Other Rights Generally )  
Constituting AmerenUE's Electric )  
Utility Business Associated with )  
its Customers Transferred Pursuant )  
to the Territorial Agreement; and )  
AmerenUE's Application for a )  
Certificate of Convenience and )  
Necessity Authorizing it to Own, )  
Control, Manage, and Maintain an )  
Electric Power System for the )  
Public in Certain Portions of )  
Chariton, Linn, and Ray Counties. )

LEWIS MILLS, Presiding,  
REGULATORY LAW JUDGE.

REPORTED BY:  
KELLENE K. FEDDERSEN, CSR, RPR  
ASSOCIATED COURT REPORTERS, INC.

1 APPEARANCES:

2 RONALD K. EVANS, Associate General Counsel  
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St. Louis, Missouri 63166-6149

5 FOR: Union Electric Company d/b/a AmerenUE

6 VICTOR S. SCOTT, Attorney at Law  
Andereck, Evans, Milne, Peace & Baumhoer  
7 P.O. Box 1438  
305 East McCarty  
8 Jefferson City, Missouri 65102-1438

9 FOR: Farmers' Electric Cooperative.

10 JEFFREY A. KEEVIL, Attorney at Law  
Stewart & Keevil  
11 405 Maple Grove Way  
12 Columbia, Missouri 65201

FOR: North Central Missouri Electric  
13 Cooperative.

14 JOHN COFFMAN, Deputy Public Counsel  
P.O. Box 7800  
15 Jefferson City, Missouri 65102-7800

16 FOR: Office of the Public Counsel  
and the Public.

17 DENNIS L. FREY, Assistant General Counsel  
18 P.O. Box 360  
Jefferson City, Missouri 65102

19 FOR: Staff of the Missouri Public  
20 Service Commission.

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1 P R O C E E D I N G S

2 (EXHIBIT NO. 1 WAS MARKED FOR  
3 IDENTIFICATION.)

4 JUDGE MILLS: Let's go on the record.

5 We're on the record this morning in Case  
6 No. EO-98-511, which is the territorial agreement of  
7 Farmers' Electric and Union Electric. And I won't  
8 read the whole case style because it would take longer  
9 than this hearing will.

10 We're going to proceed with calling  
11 witnesses this morning. We're going to call Union  
12 Electric's witness first and then the Staff's witness.  
13 But before we do that, it's my understanding that the  
14 witness for the coop is not present this morning and  
15 that all parties have waived cross on him. Is that  
16 correct, Mr. Evans?

17 MR. EVANS: That's correct.

18 JUDGE MILLS: Mr. Frey?

19 MR. FREY: That's correct.

20 JUDGE MILLS: Mr. Coffman?

21 MR. COFFMAN: That's my understanding.

22 JUDGE MILLS: Mr. Keevil?

23 MR. KEEVIL: Yes.

24 JUDGE MILLS: Mr. Evans, you may call your  
25 witness.

1 MR. EVANS: I call Mr. Loesch.

2 (Witness sworn.)

3 JUDGE MILLS: Thank you.

4 RONALD W. LOESCH testified as follows:

5 DIRECT EXAMINATION BY MR. EVANS:

6 Q. Please state your name.

7 A. My name is Ronald W. Loesch.

8 Q. And Mr. Loesch, by whom are you employed?

9 A. I'm employed by AmerenUE.

10 Q. And what is your position at Union Electric  
11 Company, AmerenUE?

12 A. I am manager of its Little Dixie and Green  
13 Hills district.

14 Q. And are you familiar with the subject matter  
15 of this proceeding?

16 A. Yes, I am.

17 Q. I'm going to hand you a document that's been  
18 marked Joint Exhibit 1. Is this the Stipulation and  
19 Agreement, including attachments, which was executed  
20 by the parties in this proceeding, and specifically  
21 the parties are Union Electric, Farmers' Electric  
22 Cooperative, and they're the joint applicants in this  
23 case, the Missouri Commission Staff, the Office of the  
24 Public Counsel, and Intervenor North Central Missouri  
25 Electric Cooperative?

1           A.     Yes.

2           Q.     I note that the Stipulation includes as  
3     attachments B and C the affidavits of a Mr. Dan Bryan  
4     of the Farmers' Electric Cooperative and Ronald Loesch  
5     of Union Electric setting forth the basis of the  
6     territorial agreement between UE and Farmers' Electric  
7     Cooperative and urging the Commission to approve the  
8     territorial agreement.

9                     Are you the same Ronald W. Loesch who signed  
10    the Affidavit attached as Attachment C to the  
11    Stipulation?

12          A.     Yes, I am.

13          Q.     Is the Stipulation the same Stipulation  
14    which was filed with the Commission on August 17th,  
15    1998?

16          A.     Yes, it is.

17          Q.     And are there any additions, corrections or  
18    deletions to the Stipulation that's been marked as  
19    Joint Exhibit 1?

20          A.     No, there are none.

21                     MR. EVANS:  I'd move to admit Joint  
22    Exhibit 1, and I'd offer Mr. Loesch for  
23    cross-examination.

24                     JUDGE MILLS:  Exhibit 1 has been offered.  
25    Are there any objections?

1           MR. KEEVIL: Mr. Mills, I'm not objecting,  
2       but I would like the record to reflect that the  
3       affidavits and suggestions and whatever else  
4       attachments there may be there are those of the party  
5       who is purporting to attach it.

6           And I don't think there's anything  
7       conflicting with that between the Stipulation, but I  
8       just wanted to make sure that the record reflected,  
9       for example, Mr. Loesch's affidavit is his on behalf  
10      of UE and so on for the Farmers' one and the Staff  
11      one.

12           It may or may not reflect the specifics of  
13      my client's interests in this, but we have signed the  
14      Stip and I'm not objecting to the Stipulation.

15           JUDGE MILLS: Great. Thanks for that  
16      clarification.

17           Exhibit 1 has been offered. There haven't  
18      been any objections that I've heard. So it will be  
19      admitted.

20           (EXHIBIT NO. 1 WAS RECEIVED INTO EVIDENCE.)

21           JUDGE MILLS: Mr. Loesch is tendered for  
22      cross-examination. Do you have any questions,  
23      Mr. Scott?

24           MR. SCOTT: No, I do not.

25           JUDGE MILLS: Mr. Frey?

1 MR. FREY: No, your Honor.  
2 JUDGE MILLS: Mr. Coffman?  
3 MR. COFFMAN: No.  
4 JUDGE MILLS: Mr. Keevil?  
5 MR. KEEVIL: No.  
6 JUDGE MILLS: Thank you. You may step down.  
7 (Witness excused.)  
8 JUDGE MILLS: The Commission Staff may call  
9 its witness.  
10 MR. FREY: Thank you, your Honor. Staff  
11 calls James Ketter.  
12 (Witness sworn.)  
13 JUDGE MILLS: Thank you. Please proceed,  
14 Mr. Frey.  
15 MR. FREY: Thank you, your Honor.  
16 JAMES L. KETTER testified as follows:  
17 DIRECT EXAMINATION BY MR. FREY:  
18 Q. Sir, will you please state your name for the  
19 record.  
20 A. James L. Ketter.  
21 Q. And Mr. Ketter, by whom are you employed and  
22 in what capacity?  
23 A. I'm employed by the Missouri Public Service  
24 Commission and the Staff in the electrical engineering  
25 department.

1           MR. FREY: Thank you. Your Honor, I would  
2 tender Mr. Ketter for cross-examination at this time.

3           JUDGE MILLS: Thank you. Are there any  
4 questions, Mr. Scott?

5           MR. SCOTT: No.

6           JUDGE MILLS: Mr. Evans?

7           MR. EVANS: None.

8           JUDGE MILLS: Mr. Coffman?

9           MR. COFFMAN: No.

10          JUDGE MILLS: Mr. Keevil?

11          MR. KEEVIL: No.

12          JUDGE MILLS: Thank you. Seeing no  
13 questions, you may step down.

14          (Witness excused.)

15          JUDGE MILLS: Is there anything further that  
16 we need to take up on the record of this matter?

17          MR. SCOTT: No, your Honor.

18          MR. FREY: No, your Honor.

19          JUDGE MILLS: Seeing nothing, we're off the  
20 record and this matter is adjourned.

21          WHEREUPON, the hearing of this case was  
22 concluded.

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I N D E X

AMEREN UE'S EVIDENCE:

RONALD W. LOESCH

Direct Examination by Mr. Evans 4

STAFF'S EVIDENCE:

JAMES L. KETTER

Direct Examination by Mr. Frey 7

EXHIBITS INDEX

Marked Rec'd

EXHIBIT NO. 1

Stipulation and Agreement 3 6

