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To: [Graham, Paul](#); [Poston, Marc](#); pscinfo@psc.mo.gov; staffcounsel@psc.mo.gov; [OPC Service](#)
Cc: [Ned Beach](#); [Gigi Quinlan McAreavy](#)
Subject: RE: Case # EO-2022-0332
Date: Monday, August 1, 2022 3:35:24 PM

Members of the Public Service Commission, Public Service Commission Staff and Office of Public Counsel:

Since first becoming aware of the proposed territorial agreement on June 14th between Ameren and Co-Mo, we have had individual meetings with both utility providers and a joint meeting with Ameren, Co-Mo, Cooper County Commissioners, City of Boonville, and Boonslick Community Development Corporation. These meetings have been informative, however, at this time we are requesting any final decision be delayed and that the PSC schedule a public hearing on the matter. The city has some concerns about the proposed agreement and potential impacts for the City's growth and development.

Before discussing the concerns of the city, we first want it to be known that the City of Boonville has no objections or concerns regarding the initial request made by Thurman Construction for Co-MO to serve the Fox Hollow subdivision, that is currently under construction. It is not our intention or desire to delay the construction of this housing development. The concerns of the city relate solely to the expanded service agreement that has been proposed and is currently under consideration.

The City received no notice of the proposed territorial agreement, despite portions of the map being within the City limits or property being owned by the City. The only notice provided to the city was the initial letter from Troy Thurman Construction, which indicated his intent to request Co-Mo as a provider. The 216 acres was in the city limits at the time the territorial agreement was drafted, and we believe we should have received notice. Additionally, notice should have been given to all property owners in the new area covered by the territorial agreement.

In order to fully understand the impacts of the territorial agreement, the city would like to review a few items:

- Current rate sheet for Co-Mo to evaluate the budget impact of street lighting in the City of Boonville for future growth.
- A boundary map showing ownership, lot lines, etc. of the territorial agreement. The City has one, possibly two, properties which would be in Co-Mo territory but are currently served by Ameren. One of these properties is Jesse Viertel Memorial Airport. During the joint meeting, it was explained to us that existing services would remain with Ameren and any new services would be provided by Co-Mo. This seems like a duplication of services and confusing to have multiple providers on the same property as these areas are developed. I believe it is in the best interest for Ameren to continue to serve these locations completely, in addition to any expansions undertaken by the City on adjacent property; it

makes planning and response for natural disaster, emergencies and/or outages easier.

SB 44, Modifies provisions to utilities (passed in 2021) was intended to allow property owners to have a choice, when multiple providers are in the area and able to provide service. Initially, the letter from Thurman Construction embodied the spirit of this law, Ameren and Co-Mo could serve the property and the developer choose Co-Mo. That choice will no longer exist for all the other property owners in the area affected by the territorial agreement; the territorial agreement effectively takes away their choice.

We are requesting that the PSC delay the approval of this agreement until a detailed map can be produced and shared with the public. Additionally, a public hearing should be held, in Boonville or Cooper County (if possible) so the PSC can hear concerns. A notice should be sent to all affected property informing them of the public hearing and an explanation of how to provide written public comments on the proposal if they so desire.

To reiterate, we are not opposed to, nor do we have any concerns, with the original proposal for Fox Hollow to be served by Co-Mo and it is not our intention to hold up that development. However, we think the additional approximate 19,800 +/- acres should be delayed until more information is available.

Thank you for your time and consideration,

Kate Fjell

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