

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

In the Matter of the Application of)
JERRY WEST and SHARON WEST) **Case No. EO-2009-0272**
for Change Of Electric Supplier for Part)
of their Property.)

RESPONSE of CUIVRE RIVER ELECTRIC COOPERATIVE INC.
TO ORDER DIRECTING FILING

COMES NOW Cuivre River Electric Cooperative Inc., (“Cuivre”) by and through its attorneys of record Andereck, Evans, Milne, Widger, and Johnson, L.L.C., and for its Response to the Order of the Commission directing it to respond, states as follows:

1. On November 14, 2008 Jerry West and Sharon West (“the Wests”) commenced this case by filing a pleading on a “complaint” form.
2. On January 22, 2009, the Commission issued its Order Directing Cuivre to respond on or before February 13, 2009, to the West’s application.
3. Cuivre provided retail electric service to the original structures located at 7333 Weldon Spring Road, Dardenne Prairie, Missouri prior to the underlying real estate being incorporated into the city of Dardenne Prairie and before the approval by a March 5, 1993 Report and Order of the Commission in case # EO-93-166 of a territorial agreement entered into on October 30, 1992 between Cuivre and AmerenUE’s predecessor, Union Electric Company.
3. The new structures at issue are located within the exclusive service area of Ameren as set forth in the territorial agreement of October 30, 1992.
4. Per the terms of the October 30, 1992 Territorial Agreement, Ameren and Cuivre may mutually agree to serve structures located in the electric service area of the other. To date,

Cuivre and Ameren have not embarked on any such agreement to allow Cuivre to provide service to the Wests' new structures.

5. The Wests' are correct in stating that Cuivre is, with the permission of AmerenUE, providing temporary retail electric service to the two new structures until no later than April 15, 2009, as set forth by Wests' in their complaint.

**ANDERECK, EVANS, MILNE,
WIDGER & JOHNSON, L.L.C.**

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**ATTORNEYS FOR CUIVRE RIVER
ELECTRIC COOPERATIVE, INC.**

