

**STEWART & KEEVIL, L.L.C.**  
ATTORNEYS AT LAW

CHARLES BRENT STEWART  
JEFFREY A. KEEVIL

1001 CHERRY STREET  
SUITE 302  
COLUMBIA, MISSOURI 65201-7931

AREA CODE 573  
TELEPHONE 499-0635  
FACSIMILE 499-0638

WILLIAM M. SHANSEY  
OF COUNSEL

September 9, 1998

FILED

SEP - 9 1998

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

RE: Union Electric Company and Farmers' Electric Cooperative – Case No. EO-98-511

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case are an original and fourteen (14) copies of an **Application for Rehearing or Correction** on behalf of North Central Missouri Electric Cooperative.

Copies of this filing have on this date been mailed or hand-delivered to counsel of record. Thank you for your attention to this matter.

Sincerely,



Jeffrey A. Keevil

JAK/er

Enclosures

cc: counsel of record

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

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 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. )

FILED

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Missouri Public  
Service Commission

Case No. EO-98-511

**APPLICATION FOR REHEARING OR CORRECTION**

Comes Now intervenor North Central Missouri Electric Cooperative  
("NCMEC"), by its undersigned counsel, pursuant to Section 386.500 RSMo, and for its  
Application for Rehearing or Correction respectfully states as follows:

1. On September 3, 1998, the Commission apparently issued an Order  
Approving Application and Stipulation and Agreement in this proceeding, with an  
effective date of September 10, 1998, although as of September 8, 1998, the undersigned  
counsel had not received service of a copy of said Order. Therefore, this Application is  
being filed based on the internet version of said Order, due to the stated effective date of  
September 10, 1998.

2. Although in its Order the Commission appears to have approved the Stipulation and Agreement filed in this proceeding by the parties, paragraph 14 of the Stipulation and Agreement provides as follows:

The parties request that in the event that the Commission approves this Stipulation and Territorial Agreement that **in its Order it specifically states** that the approval of the Territorial Agreement between AmerenUE and Farmers' is not intended to and shall in no way affect or diminish the rights and duties of other electric suppliers not a party to the Territorial Agreement to provide electric service within the boundaries designated in the Territorial Agreement in accordance with Section 394.312.5 RSMo. (emphasis added)

The undersigned counsel also referred to this paragraph at the Stipulation presentation held on August 26, 1998.

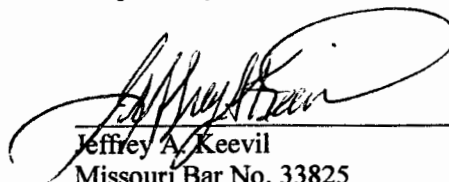
3. Paragraph 15 of the Stipulation and Agreement further provides that the "Stipulation and Agreement has resulted from extensive negotiations among the signatories and the terms hereof are interdependent. **In the event the Commission does not adopt this Stipulation in total, then this Stipulation and Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof.**" (emphasis added)

4. The Commission's Order issued on September 3, 1998, does not contain the language requested by the parties in paragraph 14 of the Stipulation and Agreement (quoted above in paragraph 2). Pursuant to paragraph 15 of the Stipulation, the Stipulation is therefore void and no signatory is bound by it. Since the Order appears to approve the Stipulation and Agreement, the failure of the Order to contain the requested language was probably simply an oversight; if so, the Commission could simply issue an order of correction to include the requested necessary language. Since NCMEC is another electric supplier, not a party to the Territorial Agreement, in the area affected by

the Territorial Agreement, inclusion of this language in the Commission's Order is vitally important to NCMEC, which therefore is requesting rehearing, or alternatively, correction, of the Commission's September 3, 1998, Order Approving Application and Stipulation and Agreement.

WHEREFORE, NCMEC respectfully requests that the Commission grant rehearing of its September 3, 1998 Order Approving Application and Stipulation and Agreement, or alternatively issue an Order of Correction to include the language from paragraph number 14 of the Stipulation and Agreement; otherwise, the Stipulation and Agreement is void by its own terms and no party is bound thereby.

Respectfully submitted,



Jeffrey A. Keevil  
Missouri Bar No. 33825  
Stewart & Keevil, L.L.C.  
1001 Cherry Street, Suite 302  
Columbia, Missouri 65201  
(573) 499-0635  
(573) 499-0638 (fax)

ATTORNEY FOR NORTH CENTRAL  
MISSOURI ELECTRIC COOPERATIVE

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was delivered by first-class mail, or hand-delivery, to counsel for parties of record on this 9th day of September, 1998.

