

1901 Chouteau Avenue
Post Office Box 66149
St. Louis, Missouri 63166-0149
314-621-3222

(314) 554-2976
FAX: 554-4014

October 7, 1997



VIA FEDERAL EXPRESS

Mr. Cecil I. Wright
Executive Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

FILED
OCT 08 1997
MISSOURI
PUBLIC SERVICE COMMISSION

Re: Application and Request for Expedited Treatment of Union Electric Company for Permission and Authority to Reroute an Existing 161 kV Transmission Line, and in its Place to Construct, Operate and Maintain a New Double Circuit 161 kV Transmission Line in the County of Cape Girardeau, Missouri.
Case No. EO-98-150

Dear Mr. Wright:

Enclosed for filing on behalf of Union Electric Company in the above matter are an original and fourteen (14) copies of its Application and Request for Expedited Treatment.

Please note that we have requested that the Commission expedite its review of this matter and issue an Order Approving the Application by January 15, 1998.

Kindly acknowledge receipt of this filing by stamping as filed a copy of this letter and returning it to the undersigned in the enclosed envelope.

Thank you.

Sincerely yours,

Joseph H. Raybuck
Attorney

JHR/meh
Enclosure(s)

cc: Office of Public Counsel
Todd Decker, Citizens Electric Corporation
Drew Bambic, Procter & Gamble

FILED

OCT 08 1997

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

MISSOURI
PUBLIC SERVICE COMMISSION

Application and Request for)
Expedited Treatment of Union)
Electric Company for Permission)
and Authority to Reroute an)
Existing 161 kV Transmission)
Line, and in its Place to)
Construct, Operate and Maintain)
a New Double Circuit 161 kV)
Transmission Line)
in the County of Cape Girardeau,)
Missouri.)

Case No. EO 98-150

APPLICATION AND REQUEST FOR EXPEDITED TREATMENT

COMES NOW Union Electric Company (Applicant) and in support of its Application and Request for Expedited Treatment pursuant to Section 393.170, RSMo. 1994 and 4 CSR 240-2.060, states as follows:

1. Applicant is a Missouri corporation, in good standing in all respects, with its principal office and place of business located at 1901 Chouteau Avenue, St. Louis, Missouri 63103. Applicant is engaged in providing electric, gas and steam heating services in portions of Missouri as a public utility under the jurisdiction of the Commission. Applicant is also engaged in providing electric and gas service in portions of Illinois. There is already on file with the Commission a certified copy of Applicant's Restated Articles of Incorporation (See MPSC Case No. EO-96-431) and Certificate of Corporate Good Standing (see MPSC Case No. EA-87-105) and said documents are incorporated herein by reference and made a part hereof for all purposes.

2. Communications with regard to this Application and Request should be directed to:

Joseph H. Raybuck
Attorney
Union Electric Company
1901 Chouteau Avenue
Mail Code 1310
P.O. Box 66149
St. Louis, MO 63166-6149

3. At the request of Procter and Gamble (P&G), a retail electric customer of Citizens Electric Corporation (Citizens), Applicant desires to remove and reroute an existing 161 kilovolt (kV) transmission line. Applicant is presently operating and maintaining the existing line by authority of the Commission in MPSC Case No. 16,581 and MPSC Case No. EA-77-19.

4. The proposed line is required due to a substantial increase in demand for electricity by P&G. In particular, the proposed line is required due to a new P&G tissue and towel production facility to be located next to its existing diaper plant north of Cape Girardeau, Mo. The present location of the single 161 kV line on P&G's property is blocking the construction of this proposed facility. P&G has requested that Union Electric remove its existing 161 kV line back to at least the western edge of P&G's property. P&G has also requested that Applicant build a new double circuit 161 kV line from that point to Citizens' new Charmin Substation which will serve P&G's load. P&G has requested that the proposed line be energized so as to supply the Charmin Substation load by August 1, 1998. The first of P&G's two new 20 MVA paper machines and associated equipment is scheduled to initiate start up procedures on that date. This

requested in-service date will require that Applicant begin construction of the proposed line by January 15, 1998.

5. The 161 kV double circuit transmission line that Applicant proposes to construct, operate and maintain will be approximately 0.9 miles in length. A legal description of the proposed line is set forth in Exhibit 1 which is attached hereto and made a part hereof. The entire line reroute is on property owned by P&G and selected with the agreement of P&G to coincide with its construction. The entire reroute of the proposed line is outside of Applicant's certified service area.

6. The route of the proposed line is shown in red on the drawing which is attached hereto, marked as Exhibit 2, and made a part hereof. Applicant's electric transmission system, 115 kV and higher, including the proposed line marked in red, is shown on drawing 7700-Y-43111, which is attached hereto, marked as Exhibit 3, and made a part hereof.

7. The proposed line will be located on private right-of-way. Applicant has already obtained a commitment from P&G to grant the necessary property rights for construction of the proposed line.

8. The proposed line will be constructed in accordance with the 1997 edition of the National Electrical Safety Code.

9. The estimated cost of the proposed line, including right-of-way costs, is \$1 million. P&G will reimburse Applicant for all costs associated with the rerouting and replacement of the existing 161 kV line with a double circuit 161 kV line.

10. A copy of the franchise granting Applicant the right to erect, construct, operate and maintain electrical transmission lines within the County of Cape Girardeau, Missouri is attached hereto as Exhibit 4, and made a part hereof. The proposed line would not pass through any other municipality.

11. The proposed line will cross the lines and facilities of the following electric and telephone utilities:

Southwestern Bell Telephone Company
800 Broadway
Cape Girardeau, MO 63701

Citizens Electric Corporation
150 Merchant Street
Ste. Genevieve, MO 63670

Copies of letters from the above entities waiving objection to construction of the proposed line are attached hereto as Exhibit 5, and made a part hereof.

The proposed line will not cross over any other lines or facilities referenced in 4 CSR 240-2.060(2)(G)1.

12. The proposed line is required to provide more adequate, reliable and economical electric service to P&G. Applicant believes that public convenience and necessity and the public interest will be served by the reroute of the existing line, and the construction, operation and maintenance of the proposed line.

13. Additionally, the proposed line is in the public interest because it will support economic development for the County of Cape Girardeau and surrounding areas in Missouri through the creation of jobs at the new P&G plant.

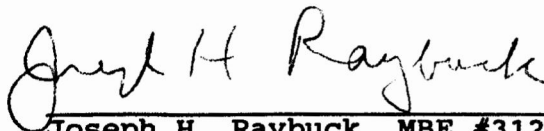
14. As indicated above, at P&G's request the proposed line is scheduled to be placed in service on or about August 1, 1998. P&G's requested in-service date will require Applicant to begin construction by January 15, 1998. Consequently, in order to meet the required in-service date, it is necessary and desirable that Commission approval of this Application be received by January 15, 1998.

15. Therefore, Applicant requests that the Commission expedite the consideration of this Application so that an Order approving the Application be issued by January 15, 1998.

16. Applicant believes that a hearing on this matter is not necessary. Therefore, Applicant does not request a hearing.

WHEREFORE, Applicant prays that an order be issued by January 15, 1998 granting Applicant permission and authority to reroute the existing line, and to construct, operate and maintain the proposed transmission line in the County of Cape Girardeau, Missouri, and that the Commission make such other orders as it deems just and proper.

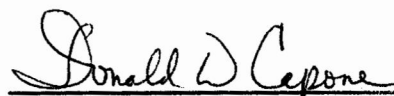
Respectfully submitted,



Joseph H. Raybuck, MBE #31241
Attorney for
Union Electric Company
1901 Chouteau Avenue
Mail Code 1310
P.O. Box 66149
St. Louis, MO 63166-6149
(314) 554-2976
(314) 554-4014 (fax)

STATE OF MISSOURI)
) SS
CITY OF ST. LOUIS)

Donald W. Capone, of lawful age, being duly sworn, deposes and says that he is a Vice President of Union Electric Company, is duly authorized to and did sign said Application as such Vice President, that he has knowledge of the facts stated in the foregoing Application, and for and on behalf of said corporation states that said facts are true to the best of his information and belief.


Donald W. Capone

Subscribed and sworn to before me this 3RD day of October, 1997.




Notary Public

DEBORAH L. ANZALONE
NOTARY PUBLIC—STATE OF MISSOURI
ST. LOUIS COUNTY
MY COMMISSION EXPIRES APR. 18, 1998

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 7th day of October, 1997, a copy of the foregoing was served on the Office of Public Counsel, and on representatives of Citizens Electric Corporation and Procter & Gamble, via first-class mail, postage prepaid.



Joseph H. Raybuck

EXHIBIT 1

**Description of Rivermines-Cape 161kV Reroute for
Procter & Gamble Paper Products Company Plant Expansion**

The location of the rerouted Union Electric Company Cape-Rivermines 161kV transmission line located in the Northeast Quarter of Section 5 and the Northwest Quarter of Section 4, Township 32 North, Range 14 East of the Fifth Principal Meridian, in Cape Girardeau County, Missouri is more particularly described as follows:

Beginning at the intersection of the existing centerline of Union Electric Company's Rivermines-Cape 161kV transmission line with the centerline of Missouri State Highway 177 in said Northeast Quarter of Section 5; thence northeasterly along a bearing that crosses the centerline of relocated State Highway "J" approximately 500 feet north of its intersection with the centerline of State Highway 177, a distance of 1,000 feet, more or less, to a point; thence deflecting approximately 35 degrees to the left in a northeasterly direction a distance of 1,300 feet, more or less, to a point near the south right of way line of said relocated State Highway "J"; thence deflecting approximately 50 degrees to the right in an easterly direction south of and along said south right of way of relocated State Highway "J" a distance of 600 feet, more or less, to a point; thence deflecting approximately 20 degrees to the right in a southeasterly direction a distance of 700 feet, more or less, to a point; thence deflecting approximately 70 degrees to the right in a southerly direction a distance of 1,100 feet, more or less to the termination of said rerouted Rivermines-Cape 161kV transmission line at the new Citizens Electric Corporation "Charmin Substation" located in the aforesaid Northwest Quarter of Section 4.

STATE OF MISSOURI)
) SS
CITY OF ST. LOUIS)

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared the undersigned affiant who, being by me duly sworn, deposed as follows:

My name is James C. Thompson.

I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

I am the Secretary of Union Electric Company and as such, am custodian of the corporate records of said company.

Attached hereto is an exact duplicate of an original franchise granted to Union Electric Company from the County Court of Cape Girardeau County.

Further Affiant sayeth not.



Affiant

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 5th day of October, 1997.



Notary Public

My Commission Expires:

BARBARA LUNGWITZ
Notary Public — Notary Seal
STATE OF MISSOURI
City of St. Louis
My Commission Expires: September 2, 1999

STATE OF MISSOURI)
) SS
COUNTY OF CAPE GIRARDEAU)

May Term, 1968

In the County Court of Cape Girardeau County on the 11th day of July, 1968, comes Union Electric Company, a Missouri corporation, and presents its petition praying for an order of this court, granting to it, said Union Electric Company, a permit or franchise to erect, construct, operate, and maintain an electric transmission line or lines of poles, towers, conduits, wires, and other apparatus incident thereto, for the purpose of transmitting electric energy, upon, along, under, across, and over the public roads, highways, and public places, including the streets, alleys, and public places of unincorporated villages and towns in Cape Girardeau County, State of Missouri, the same having been heard and considered by the court, it is ordered by the County Court of Cape Girardeau County, State of Missouri, as follows:

(1) That the right, permission, authority, and franchise is hereby granted to and duly vested in said Union Electric Company, its successors, licensees, and assigns, to erect, construct, operate, and maintain an electric transmission line or lines consisting of poles, towers, conduits, wires, and other apparatus incident thereto, upon, along, under, across, and over the public roads, highways, and public places, including the streets, alleys, and public places of unincorporated villages and towns in Cape Girardeau County, Missouri, for the purposes of transmitting electric energy for any and all purposes for which electricity may be required or used.

(2) That, in the erection, construction, operation, and maintenance of said electric transmission line or lines, no poles or towers be installed, no wires or conductors be suspended, and no conduits be laid so as to, in any manner, interfere with the ordinary traffic and public use of the public roads and highways of this County.

Charles W. Funderburg
Presiding Judge

STATE OF MISSOURI)
) SS
COUNTY OF CAPE GIRARDEAU)

I, Ruby C. Carter, Clerk of the County Court, in and for Cape Girardeau County, Missouri, hereby certify that the above and foregoing is a true copy of the proceedings of the County Court of Cape

Girardeau County on the 11th day of July, 1968, as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Jackson, Missouri, this 11th day of July, 1968.

Rusby C. Critch
Clerk of the County Court

ACCEPTANCE OF FRANCHISE

TO THE HONORABLE COUNTY COURT OF CAPE GIRARDEAU COUNTY, MISSOURI,

AND TO THE CLERK OF SAID COUNTY COURT:

UNION ELECTRIC COMPANY, for itself, its successors, and assigns, hereby accepts all of the terms and provisions of an Order of the County Court of Cape Girardeau County, Missouri, dated July 11th, 1968, granting to Union Electric Company, its successors, licensees, and assigns, the right, permission, authority, and franchise to erect, construct, operate, and maintain an electric transmission line or lines consisting of poles, towers, conduits, wires, and other apparatus incident thereto, upon, along, under, across, and over the roads, highways, and public places, including the streets, alleys, and public places of unincorporated villages and towns in Cape Girardeau County, Missouri, for the purpose of transmitting electric energy for any and all purposes for which electricity may be required or used.

IN WITNESS WHEREOF, Union Electric Company has caused these presents to be signed by its Vice President this 16th day of July, 1968.

UNION ELECTRIC COMPANY

By W. R. H. Smith
Vice President

ATTEST:

Ann R. Schmidt
Asst. Secretary

Filed in the office of the Clerk of the County Court of Cape Girardeau County, Missouri, this 18th day of July, 1968.

Presby C. Carter
Clerk of The County Court

EXHIBIT 5

Pg. 1 of 2

September 29, 1997

Union Electric Company
P. O. Box 66149
Mail Code 700
St. Louis, MO 63166-6149

Gentlemen:

We, the undersigned hereby waive any objection to the construction by Union Electric Company to the reroute of its 161kV transmission line located in Cape Girardeau County, Missouri. The 161kV transmission line will be rerouted around the north side of the Procter and Gamble Paper Products Company facilities beginning at the intersection of the Union Electric Company 161kV line, and the north right of way of Missouri State Highway 177. This reroute terminates at Citizens Electric Corporation's "Charmin Substation". The rerouted line will cross the facilities of Southwestern Bell Telephone Company and Citizens Electric Corporation as shown on the attached Union Electric Sketch No. SK-P-970925. This waiver is granted with the understanding that all construction will be in accordance with the latest provisions of the National Electrical Safety Code.

Sincerely,

Citizens Electric Company

By: J. M. M.Title: General Manager/Vice PresidentDate: 29 Sep 97

ATTEST:

[Signature]
Secretary

EXHIBIT 5

Pg. 2 of 2

September 29, 1997

Union Electric Company
P. O. Box 66149
Mail Code 700
St. Louis, MO 63166-6149

Gentlemen:

We, the undersigned hereby waive any objection to the construction by Union Electric Company to the reroute of its 161kV transmission line located in Cape Girardeau County, Missouri. The 161kV transmission line will be rerouted around the north side of the Procter and Gamble Paper Products Company facilities beginning at the intersection of the Union Electric Company 161kV line, and the north right of way of Missouri State Highway 177. This reroute terminates at Citizens Electric Corporation's "Charmin Substation". The rerouted line will cross the facilities of Southwestern Bell Telephone Company and Citizens Electric Corporation as shown on the attached Union Electric Sketch No. SK-F-970925. This waiver is granted with the understanding that all construction will be in accordance with the latest provisions of the National Electrical Safety Code.

Sincerely,

Southwestern Bell Telephone Company

By: Gerry H. LacyTitle: Mgr - Eng. (Res)Date: October 3, 1997

ATTEST:

Diane Brown
Secretary