

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

In the Matter of the Joint Application of Co-Mo)
Electric Cooperative and Union Electric)
Company d/b/a Ameren Missouri for an Order)
Approving a Territorial Agreement in) File No. EO-2022-0332
Cooper, Cole, and Moniteau Counties,)
Missouri).

**CO-MO’S SUPPLEMENT TO
JOINT RESPONSE**

COMES NOW Co-Mo Electric Cooperative (“Co-Mo”) and for its Supplement to Joint Response, hereby states as follows:

Co-Mo desires to provide supplemental information on several topics so that there is clarity for the Commission.

1. The City of Boonville is an owner of land encompassed by the Territorial Agreement (the Boonville Airport) that participated herein including via the Public Hearing.
2. A Google search shows that six news media outlet reports exist regarding the two PSC Press Releases¹ in the present case. These include reports by the Jefferson City News Tribune,² KMMO of Marshall,³ the California (Mo.) Democrat,⁴ mid-Missouri’s KMZU,⁵ and the Boonville Daily News.⁶
3. The Commission has granted territorial agreements between Ameren and various other rural electric cooperatives which have encompassed a substantial area of land. For example:
 - a. In 1996, Ameren and Black River Electric Cooperative received approval of a Territorial Agreement which covered a significant portion of Black River’s service area spanning 7 counties.⁷

¹ PSC Sets Intervention Deadline in Electric Territorial Agreement Case, PR-22-172, June 1, 2022. PSC to Hold Local Public Hearing in Co-Mo Electric Cooperative and Ameren Missouri Territorial Agreement Case, PR-23-40, August 26, 2022.

² Missouri regulators to hold hearing in territorial case for electric service, August 29, 2022.

³ PSC Sets Intervention Deadline in Electric Territorial Agreement Case, June 2, 2022.

⁴ Missouri regulators to hold hearing in territorial case for electric service, August 28, 2022.

⁵ PSC Sets Intervention Deadline in Electric Territorial Agreement Case, June 2, 2022.

⁶ PSC sets intervention deadline in electric territorial agreement case, June 3, 2022; Public Service Commission to hold virtual meeting regarding utility service, September 9, 2022.

⁷ Case No. EO-95-400.

- b. Ameren and Callaway Electric Cooperative received approval of a Territorial Agreement which covered Callaway’s entire service area except for the City of Fulton in 2002.⁸
 - c. Most recently, Ameren and Three Rivers Electric Cooperative received approval of a Territorial Agreement which covered a significant portion of Three Rivers’ service area approximating 13,000 acres.⁹
4. While it is true that several states allow landowners the right of full customer choice of electric utility provider, Missouri is not one of them. Most recently, the Missouri Legislature refused to make Missouri a customer choice state in 2019 when it did not take up Senate Joint Resolution 25 which would have amended Article I of the Constitution.¹⁰

WHEREFORE, Co-Mo respectfully requests the Commission Approve the Application for Territorial Agreement filed herein.

Respectfully submitted,

/s/ Megan E. McCord
Megan E. McCord, Mo. Bar #62037
Friel, McCord & Smiley, LLC
P.O. Box 14287
Springfield, MO 65814
Phone: (417) 227-8405
mmccord@reclawfirm.com

**ATTORNEY FOR CO-MO
ELECTRIC COOPERATIVE**

⁸ Case No. EO-2002-458.

⁹ Case No. EO-2020-0315.

¹⁰ *Competitive retail electric energy markets*, S.J.R. 25, 100th General Assembly (2019).

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on the 23rd day of January 2023, to the following:

Office of the Public Counsel
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, Missouri 65102
staffcounsel@psc.mo.gov

James B. Lowery, Mo. Bar #40503
JBL LAW, LLC
3406 Whitney Court
Columbia, MO 65203
lowery@jblawllc.com

/s/ Megan E. McCord_____