

**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 ) Case No. EO-2022-0332  
Missouri for an Order Approving a )  
Territorial Agreement in Cooper, Cole, )  
and Moniteau Counties, Missouri )

**PUBLIC COUNSEL’S RESPONE  
IN SUPPORT OF A PUBLIC HEARING**

**COMES NOW** the Office of the Public Counsel (“Public Counsel”) and in response to Union Electric Company d/b/a Ameren Missouri’s August 8, 2022 reply to the Staff’s Motion for Local Public Hearing, states as follows:

1. On July 29, 2022, the Public Service Commission’s Staff filed a Motion for Local Public Hearing, stating that a public hearing would benefit the Commission and the communities subject to the territorial agreement. Staff’s request follows concerns raised by community members regarding the agreement, including the considerable expansion of the proposal from 200 acres to 20,000 acres. The Staff also requests the Commission order a public notice sent to all landowners within the areas subject to the territorial agreement.

2. On August 8, 2022, Ameren filed a reply to the Staff’s motion. Ameren correctly points out that Missouri statutes and Commission rules do not mandate a public hearing in this territorial agreement case, however, that does not prevent the Commission from holding a public hearing when multiple members of the public have clearly indicated a desire to appear before the

Commission on this matter. Ameren argues, “Staff’s Motion fails to raise a sufficient basis for conducting a local public hearing.” Public Counsel disagrees with Ameren that there is an insufficient basis for conducting a public hearing.

3. Since the Commission opened this case, individuals from the Boonville area contacted Public Counsel regarding the proposed territorial agreement. They raised concerns regarding public notice and a concern with the readiness for each provider to provide service should service be needed for economic development purposes. Public Counsel explained the option for intervening in the case, and suggested they discuss the agreement with Ameren and Co-Mo to get a better understanding of what infrastructure each provider has in place and their readiness to serve each area.

4. On August 2, 2022, following their July 28, 2022 meeting with Ameren and Co-Mo, representatives from the City of Boonville and the Boonslick Community Development Corporation (“BCDC”) contacted Public Counsel and the Commission’s Staff (**see attachments**) to raise concerns and to request a local public hearing.

5. Public Counsel concurs with the concerns raised by BCDC and the City of Boonville regarding notice for the communities impacted, and in particular, a lack of notice for individual landowners in the areas subject to the territorial agreement. Public Counsel agrees all landowners should receive notice advising them of the territorial agreement, how it would affect their interests, advising them of the opportunity to provide comment to the Commission, and advising them of a local public hearing on the matter.

WHEREFORE, the Office of the Public Counsel respectfully offers this response to Ameren's reply regarding a public hearing, and urges the Commission to order the public hearing requested by the Commission's Staff.

Respectfully submitted,

**/s/ Marc Poston**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 10th day of August 2022.

**/s/ Marc Poston**

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