

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 24th day
of January, 2006.

In the Matter of the Application of Girardeau)
Stevedores Contractors for a Change of)
Electric Supplier)

Case No. EO-2006-0145

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: January 24, 2006

Effective Date: February 3, 2006

Background

On October 3, 2005, Girardeau Stevedores Contractors filed an application to change its electric supplier from SEMO Electric Cooperative to AmerenUE. Applicant stated that SEMO now provides single-phase electric power and that Applicant needs three-phase electric power for its warehouse, which SEMO is unable to provide. AmerenUE, however, is able to provide three-phase electric power.

On October 31, SEMO filed a pleading stating that it opposed the change of supplier. The Commission, therefore, held a prehearing conference on December 14. At the prehearing conference, the parties disclosed that in order for SEMO to provide three-phase service Applicant would have to pay for a line extension of approximately 12 miles. AmerenUE, on the other hand, is located across the street from Applicant. AmerenUE did not attend the prehearing conference, nor did the Office of the Public Counsel.

Joint Stipulation and Agreement

On January 13, 2006, Applicant, SEMO, AmerenUE and the Staff of the Commission filed a Joint Stipulation and Agreement. The parties agree that Applicant's request for a

change of supplier is in the public interest for reasons other than a rate differential in that the change would: (a) avoid wasteful duplication of electric service facilities; (b) make the most effective use of past investment in substation and distribution facilities; and (c) enhance public safety.

The parties request that the Commission find that the change of supplier is in the public interest for reasons other than a rate differential, approve the change of service from SEMO to AmerenUE, grant the electric suppliers a reasonable time of not less than 30 but no more than 60 days to coordinate and implement the change of supplier and approve the terms of the stipulation and agreement.

Discussion

The Commission has the legal authority to accept a stipulation and agreement as offered by the parties as a resolution of issues raised in this case.¹ The Commission notes that every decision and order in a contested case shall be in writing and, except in default cases or cases disposed of by stipulation, consent order or agreed settlement, shall include findings of fact and conclusions of law.² Consequently, the Commission need not make findings of fact or conclusions of law in this order.

Commission rule 4 CSR 240-2.115 (2)(C) states that if no party objects to the Stipulation and Agreement, the Commission may treat the agreement as unanimous. The agreement was filed on January 13. Because OPC has not objected to the agreement, the Commission will treat the agreement as unanimous.

The Commission has reviewed the facts of this case and the Stipulation and Agreement and finds that the agreement is reasonable. The Commission finds that the

¹ Section 536.060, RSMo 2000.

² Section 536.090, RSMo 2000.

change of supplier is in the public interest for reasons other than a rate differential. The Commission will therefore approve the agreement and direct that the parties to the agreement comply with its terms.

IT IS THEREFORE ORDERED:

1. That the Joint Stipulation and Agreement entered into between SEMO Electric Cooperative, Girardeau Stevedores Contractors, Union Electric Company d/b/a AmerenUE and the Staff of the Missouri Public Service Commission is approved.
2. That the parties to the agreement shall abide by its terms.
3. That the withdrawal of SEMO Electric Cooperative's service and the substitution of Union Electric Company d/b/a AmerenUE's service to Girardeau Stevedores Contractors is approved.
4. That SEMO Electric Cooperative and Union Electric Company d/b/a AmerenUE shall coordinate and implement the change of supplier in no less than 30 and no more than 60 days from the date this order is issued.
5. That upon Girardeau Stevedores Contractors' electric supplier being changed from SEMO Electric Cooperative to Union Electric Company d/b/a AmerenUE, AmerenUE shall file a notice in this case informing the Commission of such.

6. That this order shall become effective on February 3, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Gaw, Clayton,
and Appling, CC., concur.

Jones, Regulatory Law Judge