

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Greg)
Withers for Change of Electric Supplier from) **Case No. EO-2006-0555**
Union Electric Company d/b/a AmerenUE to)
Jackson Electric Distribution Department)

ORDER GRANTING CHANGE OF ELECTRIC SUPPLIER

Issue Date: August 22, 2006

Effective Date: August 22, 2006

On June 29, 2006, Greg Withers filed an application for a change of his electric supplier from Union Electric Company d/b/a AmerenUE to Jackson Electric Distribution Department. In his application, Applicant states his reason for wanting to change as follows:

The AmerenUE service line which supplies power to our property is surrounded by Jackson Electric Distribution Department service lines. The city is in the construction of a road project, East Main Street Extension, which will require lines to be relocated. The engineer on the road project approached me about the reasons for transferring service from a technical standpoint. Transferring service will help the city and the project being constructed and will not adversely affect me.

On July 28, the City of Jackson filed a letter stating that it agrees with the proposed change of electric supplier and that on June 26 the Board of Alderman passed a bill reflecting such support. Several days later AmerenUE filed a verified statement that it also agrees with the proposed change. In its letter, AmerenUE requests that the Commission issue an order that: i) requires the company to cut open the facilities serving Applicant; ii) requires the City of Jackson to return to AmerenUE any and all transformers associated

with Applicant's existing service; and iii) requires the City of Jackson to take all existing facilities serving Applicant's residence after the facilities are cut open by AmerenUE. AmerenUE adds that "the last provision is requested to permit the City of Jackson to obtain maximum use of the existing facilities and to limit [AmerenUE's] ongoing liability."

On August 18, the Staff of the Commission filed a pleading recommending that the Commission approve the requested change of supplier. Staff states that the change of supplier would be in the public interest and that the change, as presented by AmerenUE and the City of Jackson, will occur in the most efficient and cost-effective manner. Staff points out that AmerenUE's request, that the Commission require the City of Jackson to take all existing facilities serving Applicant's residence after the facilities are cut open by AmerenUE, does not involve a transfer of assets as contemplated in Section 393.190.1, RSMo 2000.

As Staff notes, Section 393.190.1 requires Commission approval to transfer assets when the assets are "necessary or useful in the performance of [the company's] duties to the public." Staff reasons that Section 393.190.1 would not be applicable to the transfer of lines and poles from AmerenUE to the City of Jackson because the assets have only salvage value after AmerenUE has cut open the facilities. Staff recommends that the Commission explicitly recognize the transfer of these assets.

Conclusion

Section 393.106.2, RSMo 2000, authorizes the Commission to order a change of electric supplier on the basis that it is in the public interest for a reason other than a rate differential. The Commission has reviewed the application, the letter from the City of Jackson, AmerenUE's verified statement and Staff recommendation and finds that

Applicant's request is in the public interest for a reason other than a rate differential. The Commission also recognizes the transfer of AmerenUE's relevant poles and lines to the City of Jackson noting that such poles and lines are not necessary or useful in the performance of AmerenUE's duties to the public. As such, Section 393.190.1 is not applicable.

IT IS ORDERED THAT:

1. The application filed by Greg Withers for a change of his electric supplier from Union Electric Company d/b/a AmerenUE to Jackson Electric Distribution Department is approved.
2. Union Electric Company d/b/a AmerenUE shall cut open the facilities serving Greg Withers' residence.
3. The City of Jackson's Electric Distribution Department shall return to Union Electric Company d/b/a AmerenUE any and all transformers associated with Greg Withers' existing service.
4. This order shall become effective on August 22, 2006.
5. This case may be closed on August 23, 2006.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of August, 2006.