

Missouri Public Service Commission
Data Center
P.O. Box 360
Jefferson City, Missouri 65102-0360
MO 419-2651 (9-10)

FILED

OCT 04 2011

Missouri Public
Service Commission

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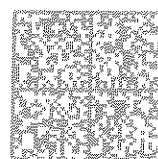
Larry and Peggy Taylor
Carter Road
Moscow Mill MO 63367

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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Union Electric Company d/b/a)	
Ameren Missouri and)	File No. EO-2012-0093
Cuivre River Electric Cooperative for)	
Approval of an Addendum to an)	
Approved Territorial Agreement)	

NOTICE OF CONTESTED CASE AND ORDER DIRECTING FILING

Issue Date: September 29, 2011

Effective Date: September 29, 2011

The Missouri Public Service Commission is giving notice of an application for approval of a territorial agreement, and setting a deadline for filings, as follows.

On September 27, 2011, the applicants filed a joint application for approval of an addendum to a territorial agreement. The applicants cite earlier Commission orders that provide for service of the application, the consent of a customer whose service is at issue, and a time for Staff to file a recommendation. Nevertheless, the statutes provide the right to a hearing on a territorial agreement,¹ which requires the Commission to issue notice² as follows.

The right to a hearing on the territorial agreement signifies a contested case.³ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁴ and a decision without a hearing,⁵ including by stipulation

¹ Section 394.312.5, RSMo Supp. 2010.

² Section 536.067(1), RSMo 2000.

³ Section 536.010(4), RSMo Supp. 2010.

⁴ Sections 536.060(3) and 536.063(3), RSMo 2000.

⁵ Sections 536.060, RSMo 2000.

and agreement.⁶ The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

The statutes provide:

The agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given. [⁷]

The statutes also provide that:

. . . notice of such filing shall be given to other electrical suppliers pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. [⁸]

No such regulation contains any provision for notice. Therefore, Commission will order notice mailed as set forth in the ordered paragraphs.

The Commission will order Staff to file a recommendation but no other response to this notice and order is required from any person.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall mail a copy of this notice and order to:
 - a. Larry and Peggy Taylor, Carter Road, Moscow Mills, MO 63362.
 - b. The county commissioners of Lincoln County, Missouri.
 - c. The mayor and city council members of Moscow Mills, Missouri.
2. The Commission's Public Information Office shall make this notice available to the:

⁶ Section 394.312.5, RSMo Supp. 2010; 4 CSR 240-2.115.

⁷ Section 536.067(1), RSMo 2000.

⁸ Section 394.312.4, RSMo Supp. 2010.

- a. Members of the General Assembly representing Lincoln County,
Missouri; and
- b. Newspapers and other media serving Lincoln County, Missouri.
3. Any motion to intervene shall be filed no later than October 13, 2011.
4. The Commission's staff shall file a recommendation on the application
no later than November 1, 2011.
5. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

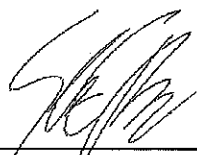
Dated at Jefferson City, Missouri,
on this 29th day of September, 2011.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 29th day of September 2011.



Steven C. Reed
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 29, 2011

File/Case No. EO-2012-0093

**Missouri Public Service
Commission**

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Union Electric Company

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Union Electric Company

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City of Moscow Mills, Missouri

City Council
City Hall
500 Highway MM
Moscow Mills, MO 63362

County of Lincoln, Missouri

County Commission Clerk
201 Main St.
Lincoln County Courthouse
Troy, MO 63379

**Cuivre River Electric
Cooperative, Inc.**

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Mayor of Moscow Mills

Moscow Mills City Hall
500 Highway MM
Moscow Mills, MO 63362

Larry and Peggy Taylor

Carter Road
Moscow Mills, MO 63362

Enclosed find a certified copy of an ORDER in the above-numbered matter(s).

Sincerely,



**Steven C. Reed
Secretary**

Individuals listed above with a valid e-mail address will receive electronic service. Individuals listed above without a valid e-mail address will receive paper service.