

**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 Cooper, Cole, and)
Moniteau Counties, Missouri)
File No. EO-2022-0332

MOTION FOR LOCAL PUBLIC HEARING

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and prays the Commission’s order setting a local public hearing, stating further:

On May 27, 2022,¹ Co-Mo Electric Cooperative and Union Electric Company d/b/a Ameren Missouri (collectively, “Applicants”) filed a stipulation and agreement along with a territorial agreement in File No. EO-2022-0190. The Applicants contemplate the approval of the stipulation and agreement along with the territorial agreement. On May 31, the proposed territorial agreement was filed in a separate file, EO-2022-0332; and on July 1, the applicants filed an application for its approval. On July 5, the Commission issued a Second Order Directing Notice, Requiring a Staff Recommendation, and Setting a Deadline for Intervention. The deadline for intervention and Staff’s recommendation or status report is August 4.

Staff has been contacted by the Boonville/Cooper County/Boonslick Community Development Corporation, a non-profit corporation, and has concluded that members of the Cooper County, Missouri, community would benefit from a local public hearing and, further, that the a local public hearing would benefit the Commission. The first stated

¹ All date references will be to 2022 unless otherwise stated.

concern brought to Staff's attention is that while the property initially under consideration in File EO-2022-0190 and vetted in discussion throughout the Boonville/Cooper County area involved only approximately 200 acres, the property subject to the territorial agreement which is now the subject of File EO-2022-0332 may involve as much as 20,000 acres.² The concern is that future residents in a 20,000 acre "rural area" who now have a choice of service providers between a regulated utility and a rural electric cooperative will be deprived of that choice by the territorial agreement. A second concern is that the proposed territorial agreement will put down boundary lines which could complicate future business decisions affecting the economic development and health of the community.

Staff is advised that on July 26, 2022, a meeting on the proposed territorial agreement occurred involving the applicants, the Mayor and City Administrator of Boonville, and the Cooper County Commissioner. Staff does not know whether any landowners in the subject 20,000 acres had notice of or were in attendance at this meeting. Staff is also advised that some of the persons involved in the meeting desired the presence of the Commission Staff and the Office of Public Counsel.

The people who attended the July 26 meeting did not have the benefit of Staff and OPC participation. Similarly, the meeting was not one of Commission record, and the Commission did not have the benefit of hearing from those who did attend or from others who might appear at a local public hearing. Staff recommends that the Commission issue its orders that a public hearing occur and further orders requiring the parties to file pleadings suggesting a hearing date and proposing a public hearing notice.

² The parties have not yet filed a legal description of the proposed territorial boundaries.

Staff recommends that the parties be required to provide notice of the public hearing to all landowners within the area covered by the proposed territorial agreement.

WHEREFORE, the Staff prays the Commission's order that a local public hearing be held; for such other orders as are described in the body of this motion; and for such other orders as the Commission deems are necessary or appropriate.

Respectfully submitted,

/s/ Paul T. Graham

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CERTIFICATE OF SERVICE

The undersigned certifies by his signature below that on July 29, 2022, he filed the above document entitled Motion for Public Hearing the EFIS file of the Missouri Public Service Commission.

/s/ Paul T. Graham