



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
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## Missouri Public Service Commission

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January 9, 2002

ROBERT J. QUINN, JR.  
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Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

FILED<sup>2</sup>

JAN 09 2002

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**RE: Case No. EM-2001-695**

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **JOINT MOTION TO STAY PROCEDURAL SCHEDULE**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Robert V. Franson  
Associate General Counsel  
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(573) 751-9285 (Fax)  
[rfranson@mail.state.mo.us](mailto:rfranson@mail.state.mo.us)

RVF:ccl  
Enclosure  
cc: Counsel of Record

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

**FILED<sup>2</sup>**  
JAN 09 2002  
Missouri Public  
Service Commission

In the Matter of the Joint Application of     )  
Union Electric Company and Lewis             )  
County Rural Electric Cooperative for an     )  
Order Approving the Change in Electric     )  
Supplier for Reasons in the Public Interest   )  
and Authorizing the Sale, Transfer, and     )  
Assignment of Certain Electric             )  
Distribution Facilities, Easements and       )  
other Rights Generally from Union           )  
Electric Company to Lewis County Rural       )  
Electric Cooperative                            )

Case No. EM-2001-695

**JOINT MOTION TO STAY PROCEDURAL SCHEDULE**

**COME NOW** Union Electric Company d/b/a AmerenUE ("Company"), the Lewis County Rural Electric Cooperative ("Cooperative") (Collectively, "Applicants"), the Office of the Public Counsel ("OPC") and the Staff of the Missouri Public Service Commission ("Staff") (hereinafter the "Parties") and for their Joint Motion to Stay Procedural Schedule respectfully state as follows:

1. On June 15, 2001, Union Electric Company d/b/a AmerenUE and the Lewis County Rural Electric Cooperative (hereinafter "Applicants") filed a joint application (the "Joint Application"), requesting that the Missouri Public Service Commission ("Commission") issue an Order pursuant to Sections 393.106 and 393.190 RSMo. 2000: (1) authorizing Company to sell, transfer, and assign to Cooperative certain 34.5 kV and 12 kV distribution facilities, related secondary and service facilities, and easements ("the Assets"), as more particularly described in the Exchange Agreement for Purchase and Sales of Distribution Facilities and Customer Exchange; (2) approving a change in electric supplier for approximately 550 structures in and

around the Cities of Durham, Maywood, Novelty, Monticello, Medill, Arbela, and Granger from Company to Cooperative; (3) authorizing Company to perform in accordance with the terms of the Exchange Agreement, and to enter into and execute all other documents reasonably necessary and incidental to the performance of the transactions which are the subject of the Exchange Agreement and this Joint Application; and (4) granting such other relief as deemed necessary to accomplish the purposes of this Joint Application and to consummate the sale, transfer and assignment of the Assets and related transactions.

2. On October 25, 2001, the Commission ordered the Parties to file any agreed upon Stipulation and Agreement no later than November 9, 2001. If no Stipulation and Agreement was reached, then the Commission ordered the Parties to file a complete and detailed procedural schedule not later than November 16, 2001, said procedural schedule shall provide for a hearing no later than March 1, 2002.

3. On November 26, 2001, the Commission issued its Order Establishing Procedural Schedule.

4. On January 7, 2002, Company, Cooperative and Staff filed a Nonunanimous Stipulation and Agreements.

5. On January 8, 2002, Counsel representing all parties in this case discussed the case.

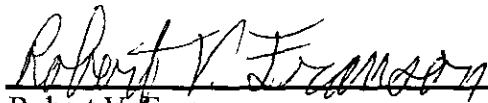
6. As a result of that meeting, the Parties request a suspension of the Procedural Schedule to allow the Parties the opportunity to discuss the subject of a Unanimous Stipulation and Agreement to resolve this case or allow the Nonsignatory to request a hearing on the Nonunanimous Stipulation.

7. According, the Parties propose that the Procedural Schedule in this case be suspended. The Parties further propose that the Order Suspending the Procedural Schedule include a directive that on or before January 22, 2002, either a Unanimous Stipulation and Agreement be filed, or that the Nonsignatory to the Nonunanimous Stipulation and Agreement Request a Hearing or file a Statement of Position regarding the Nonunanimous Stipulation and Agreement. In the event that the Nonsignatory to the Nonunanimous Stipulation request a hearing then the Parties shall file a Proposed Revised Procedural Schedule no later than January 24, 2002, that maintains the hearing date of March 1, 2002.

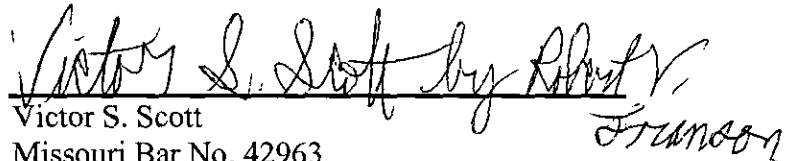
**WHEREFORE**, the Parties respectfully request that the Commission issue an Order Suspending the Procedural Schedule and requiring the filing of either a Unanimous Stipulation and Agreement, a Request for Hearing on the Nonunanimous Stipulation and Agreement, or that the Parties file a Proposed Revised Procedural Schedule that maintains the hearing date of March 1, 2002.

Respectfully submitted,

DANA K. JOYCE  
General Counsel



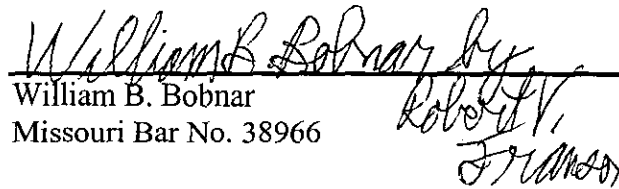
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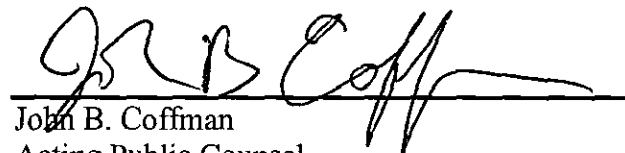
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**ATTORNEY FOR UNION ELECTRIC  
COMPANY d/b/a AmerenUE**

**ATTORNEY FOR THE OFFICE OF THE  
PUBLIC COUNSEL**

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 9<sup>th</sup> day of January 2002.

A handwritten signature in cursive script, reading "Robert V. Johnson", is written over a horizontal line.

**Service List for**  
**Case No. EM-2001-695**  
**Verified: January 9, 2002 (ccl)**

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