

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 18th day
of July, 2013.

In the Matter of the Application of Union Electric Company)
d/b/a Ameren Missouri for Authority to Sell or Transfer)
a Portion of Its Franchise, Works, or System to) File No. EO-2014-0296
Silgan Plastic Food Containers Corporation)

ORDER GRANTING APPLICATION

Issue Date: July 18, 2014

Effective Date: July 28, 2014

The Missouri Public Service Commission is authorizing the sale of two transformers (“transaction”) from Union Electric Company d/b/a Ameren Missouri (“applicant”) to Silgan Plastic Food Containers Corporation (“Silgan”), who is currently leasing those transformers.

Applicant filed the application,¹ which it later supplemented,² and amended.³ The Commission received no application for intervention within the time set by order.⁴ Staff filed a recommendation⁵ favoring the application and suggesting that the Commission state that no party is proposing, and the Commission is not determining, any ratemaking

¹ Electronic Filing and Information System (“EFIS”) No. 1, *Application*, filed on April 17. All dates are in 2014.

² EFIS No. 3, *Response to Order to Supplement Application*, filed on April 21.

³ EFIS No. 6, amended *Application*, filed on April 23.

⁴ EFIS No. 4, *Order Regarding Notice of Application, Order Setting Deadline for Intervention, and Order Directing Staff to File Recommendation*, issued on April 22.

⁵ EFIS No. 10, *Staff’s Recommendation to Authorize Sale*, filed on June 30.

treatment for the transaction. No party filed a reply to the recommendation within the ten days allowed by Commission regulation.⁶

The application is within the Commission's jurisdiction under the following provision:

No . . . electrical corporation . . . shall hereafter . . . lease, transfer, . . . or otherwise dispose of . . . any part of its . . . works or system, necessary or useful in the performance of its duties to the public, nor by any means, direct or indirect, merge or consolidate such works or system . . . , or any part thereof, with any other corporation, person or public utility, without having first secured from the commission an order authorizing it so to do. [⁷]

The Commission's regulations also require the Commission's order authorizing the transfer of any asset.⁸ The Commission will deny the application only if approval would be detrimental to the public interest.⁹

No hearing is necessary¹⁰ to grant unopposed relief.¹¹ Therefore, this action is not a contested case,¹² and the Commission need not make separately stated findings of fact. The Commission finds and concludes as follows.

The verified contents of the file show that granting the application will cause no detriment to the public interest. The absence of opposition constitutes good cause for

⁶ 4 CSR 240-2.080(13).

⁷ Section 393.190.1, RSMo 2000.

⁸ 4 CSR 240-3.110(1).

⁹ *State ex rel. City of St. Louis v. Public Serv. Comm'n of Missouri*, 73 S.W.2d 393, 400 (Mo. 1934); and Regulation 4 CSR 240-3.110(1)(D).

¹⁰ *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Comm'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

¹¹ The Office of the Public Counsel is a party to this action under 4 CSR 240-2.010(10) but has elected to enter no appearance.

¹² Section 536.010(4), RSMo Supp. 2012.

the Commission to make this order effective in less than 30 days.¹³ Therefore, the Commission will grant the application.

THE COMMISSION ORDERS THAT:

1. The *Application* is granted and the applicant may execute the transaction as described in the body of this order
2. This order does not determine any ratemaking treatment for the transaction.
3. This order shall become effective on July 28, 2013.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Jordan, Senior Regulatory Law Judge

¹³ Section 386.490.2, RSMo Supp. 2013.