

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

In the Matter of the Application of Sullivan)	
Development Properties, LLC for change of)	
electric supplier from Union Electric)	File No. EO-2024-0251
Company d/b/a Ameren Missouri to)	
Farmington City Light and Water)	

**AMEREN MISSOURI’S RESPONSE TO APPLICATION
FOR CHANGE OF ELECTRIC SUPPLIER**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), and for its response to the Application of Sullivan Development Properties, LLC (the "Applicant") for Change of Electric Supplier, Ameren Missouri respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. On March 20, 2024, an amended application was filed herein, requesting that the electric supplier for the property located at 259 Kenwood Drive, Farmington, Missouri 63640, be changed from Ameren Missouri to Farmington City Light and Water.
2. On April 3, 2024, an Order was entered directing Ameren Missouri and Farmington City Light and Water to submit responses to this application by May 3, 2024.
3. Regarding paragraph one of the application, Ameren Missouri admits that Applicant's property is located at or about 259 Kenwood Drive, Farmington, Missouri 63640. Ameren Missouri is without sufficient knowledge or information to admit or deny whether the Applicant's principal place of business is located at 111 N. Jefferson, Farmington, Missouri 63640.
4. Regarding paragraph two of the application, Ameren Missouri admits that Applicant's property falls within its service territory, granted by a Commission-issued Certificate of Convenience and Necessity ("CCN").

5. Regarding paragraphs 3 through 5 of the application, Ameren Missouri acknowledges that Applicant is requesting that the Commission order a change of electric supplier for the 259 Kenwood Drive property from Ameren Missouri to Farmington City Light and Water. Ameren Missouri admits that extending its electrical service to the 259 Kenwood Drive property would necessitate a primary line extension and extensive tree trimming at some cost to Applicant. Ameren Missouri denies that the 259 Kenwood Drive property is currently residential, although Ameren Missouri acknowledges that this property may have been residential in the past. Ameren Missouri is without sufficient knowledge or information to admit or deny the remaining allegations contained in paragraphs 3 through 5.

6. Regarding paragraph 6 of the Application, Ameren Missouri denies the allegations contained in paragraph 6. Conversely, Ameren Missouri encouraged Applicant to speak to Farmington City Light and Water regarding obtaining service.

7. Ameren Missouri is a "public utility" and an "electric corporation" pursuant to RSMo. § 386.020, with its Missouri operations subject to the jurisdiction of the Commission as provided by law. As such, Ameren Missouri is currently obligated to serve the Applicant's property in accordance with the Commission-issued CCN.

8. Ameren Missouri has had some discussions with the City of Farmington regarding Applicant's desired change of service. Ameren Missouri understands that the 259 Kenwood Drive Property is not currently within Farmington's city limits. However, Ameren Missouri understands that Applicant may request that Farmington annex the 259 Kenwood Drive property.

9. Ameren Missouri is not currently providing electric service to the 259 Kenwood Drive property, though this property is within Ameren Missouri's service territory.

10. R.S. Mo. § 386.800.1 specifies when a municipally owned electric utility may provide electricity to any structure located outside of the municipality's corporate boundaries.

No municipally owned electric utility may provide electric energy at retail to any structure located outside the municipality's corporate boundaries after July 11, 1991, unless:

- (1) The structure was lawfully receiving permanent service from the municipally owned electric utility prior to July 11, 1991;
- (2) The service is provided pursuant to an approved territorial agreement under Section 394.312;
- (3) The service is provided pursuant to lawful municipal annexation and subject to the provisions of this section; or
- (4) The structure is located in an area which was previously served by an electric corporation regulated under this chapter, and chapter 393, and the electrical corporation's authorized service territory was contiguous to or inclusive of the municipality's previous corporate boundaries, and the electric corporation's ownership or operating rights within the area were acquired in total by the municipally owned electrical system prior to July 11, 1991. [].

Upon information and belief, the 259 Kenwood Property is currently outside of Farmington's municipal corporate boundaries and none of these exceptions are applicable to the 259 Kenwood Drive property at this time. Therefore, Farmington City Light and Water is currently without authority to provide electric service to the 259 Kenwood Drive property.

11. Ameren Missouri would change its position, however, if Farmington were to lawfully annex the 259 Kenwood Drive property.

WHEREFORE, for the reasons stated above, Ameren Missouri prays that this Commission adhere to statutory law in this cause and issue an order denying and dismissing Sullivan Development Properties, LLC's application. Ameren Missouri seeks such additional relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ William D. Holthaus, Jr.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed in EFIS on this 3rd day of May, with notification of same being sent to all counsel of record.

/s/ William D. Holthaus, Jr.
William D. Holthaus, Jr.