

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 30<sup>th</sup> day of October, 2024.

In the Matter of the Joint Application of Union Electric Company d/b/a Ameren Missouri and Co-Mo Electric Cooperative, Inc. to Amend Territorial Agreement )  
 )  
 ) **File No. EO-2025-0092**  
 )

**REPORT AND ORDER APPROVING ADDENDUM  
TO TERRITORIAL AGREEMENT**

Issue Date: October 30, 2024

Effective Date: November 9, 2024

On September 13, 2024,<sup>1</sup> Union Electric Company d/b/a Ameren Missouri and Co-Mo Electric Cooperative ("Cooperative") (collectively, "Joint Applicants"), jointly filed an application seeking Commission approval of an amendment ("Second Amendment") to an existing territorial agreement. The territory subject to Second Amendment concerns a single-family home located wholly within Cooper County, Missouri.

On May 27, 2022, Joint Applicants entered into a territorial agreement ("Territorial Agreement"), which was approved by the Commission on January 25, 2023, in File No. EO-2022-0332. Paragraph 11.3 of the Territorial Agreement allows the Joint Applicants to agree, on a case-by-case basis and through an amendment to the Territorial Agreement, to allow a single-family residence to receive service from one party though the single-family residence is located in the electric service territory of the other.

---

<sup>1</sup> Unless otherwise noted, all date references are to the year 2024.

Second Amendment would allow Ameren Missouri to serve a single-family residence that lies within the city limits of Boonville, Missouri in Cooper County. Approval of the Second Amendment memorializes the Stipulation and Agreement reached by the Joint Applicants in regard to the Application of Richard and Felicia Murphy (“Murphys”) for a change in electric service supplier at 1915 Tisdale Drive, Boonville, MO 65233 (“Property”), which was filed in File No. EO-2024-0331. The Commission approved the change in supplier on July 18, 2024. Commission approval of the Second Amendment formalizes Ameren Missouri as the electric service provider to the Property.

This change of electric supplier makes unnecessary a material investment by Cooperative that would have been required for Cooperative to serve the 1915 Tisdale Drive property. Likewise, the Murphys’ change of electric supplier permits Ameren Missouri to utilize its existing facilities that were already located within 100 feet of the Property.

Joint Applicants state in their application that approval of Second Amendment would not be detrimental to the public interest because the Agreement reflects a change in supplier that makes efficient use of existing utility infrastructure and minimizes the need for additional investment.<sup>2</sup>

On September 16, the Commission issued an *Order Directing Notice, Setting Intervention Deadline, and Directing Staff Recommendation*. No parties applied to intervene.

The Staff of the Commission (Staff) filed its *Staff Recommendation* on October 10. In it, Staff agrees with Joint Applicants that approval of Second Amendment is not

---

<sup>2</sup> *Joint Application to Amend Territorial Agreement*, p. 4 (filed September 13, 2024).

detrimental to the public interest in that it prevents an otherwise necessary duplication of services if Cooperative were to provide electric service to the Property. Staff recommends Commission approval of Second Amendment.

No party filed a response to the *Staff Recommendation*.

### **FINDINGS OF FACT**

1. Cooperative is a rural electric cooperative organized and existing pursuant to Chapter 394, RSMo, with its principal office located at 29868 Highway 5, Tipton, MO 65081. Cooperative is engaged in the distribution of electric energy and service to its members in all or part of nine Missouri counties.<sup>3</sup> Cooperative has no final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates that have occurred within three years immediately preceding the filing of the application.<sup>4</sup> Cooperative is not required to file annual reports or pay assessment fees.<sup>5</sup>

2. Ameren Missouri is a Missouri corporation with its principal office at 1901 Chouteau Avenue, St. Louis, MO 63103. Ameren Missouri is primarily engaged in the business of providing electric utility service in Missouri to the public in its certificated areas.<sup>6</sup> Ameren Missouri has no pending action or final judgments or decisions against it from any state or federal agency or court that involve its customer service or rates within

---

<sup>3</sup> *Joint Application to Amend Territorial Agreement*, p. 1 (filed September 13, 2024); *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>4</sup> *Joint Application to Amend Territorial Agreement*, p. 1 (filed September 13, 2024); *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>5</sup> *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>6</sup> *Joint Application to Amend Territorial Agreement*, p. 1 (filed September 13, 2024); *Staff Recommendation*, p. 5 (filed October 10, 2024).

the three years immediately preceding the filing of this Application.<sup>7</sup> Ameren Missouri has no overdue annual report or assessment fees.<sup>8</sup>

3. Joint Applicants entered into a territorial agreement (“Territorial Agreement”), which was approved by the Commission on January 25, 2023, in File No. EO-2022-0332.<sup>9</sup> The Territorial Agreement allows the Joint Applicants to agree, on a case-by-case basis and through an addendum to the Territorial Agreement, to allow a Property to receive service from one party though the Property is located in the electric service territory of the other.<sup>10</sup>

4. The structure that is the subject of the Second Amendment is a single-family residence, which lies within the electric service area of Cooperative in Cooper County under the terms of the Territorial Agreement.<sup>11</sup>

5. On September 13, Joint Applicants filed an application for Commission approval of an addendum to the Territorial Agreement – Second Amendment<sup>12</sup> – which would allow Ameren Missouri to serve the Property. Second Amendment is included in the application.

6. Ameren Missouri has an existing line within 100 feet of the Property that has available capacity to provide electric service to the Property.<sup>13</sup> Cooperative does not

---

<sup>7</sup> *Joint Application to Amend Territorial Agreement*, p. 2 (filed September 13, 2024); *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>8</sup> *Joint Application to Amend Territorial Agreement*, p. 2 (filed September 13, 2024); *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>9</sup> *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>10</sup> *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>11</sup> *Staff Recommendation*, p. 5 (filed October 10, 2024).

<sup>12</sup> *Joint Application to Amend Territorial Agreement* (filed September 13, 2024).

<sup>13</sup> *Joint Application to Amend Territorial Agreement*, p. 4 (filed September 13, 2024).

have facilities in the immediate vicinity and would need to make an unnecessary material investment in providing service to the Property.<sup>14</sup>

7. No parties have objected to Joint Applicants' application.
8. No requests to intervene have been filed in this matter.
9. No party has requested an evidentiary hearing in this matter.

### **CONCLUSIONS OF LAW AND DECISION**

Section 394.312.1, RSMo 2016, authorizes territorial agreements between rural electric cooperatives and electrical corporations. Before becoming effective, territorial agreements must receive Commission approval by report and order.<sup>15</sup> The Commission need not hold a hearing if, after proper notice and opportunity to intervene, no party requests such a hearing.<sup>16</sup> The Commission may approve the application if it determines that approval of the territorial agreement, in total, is not detrimental to the public interest.<sup>17</sup>

No parties oppose approval of the proposed Second Amendment to the Territorial Agreement, and no requests to intervene have been filed. No evidentiary hearing is required.

The Commission finds that approval of Second Amendment is not detrimental to the public interest in that it makes the most efficient use of the existing electric facilities and minimizes the need for additional investment if Cooperative were to provide electric service to the Property. Accordingly, the Commission will approve Second Amendment.

---

<sup>14</sup> *Joint Application to Amend Territorial Agreement*, p. 4 (filed September 13, 2024).

<sup>15</sup> Section 394.312.4, RSMo 2016.

<sup>16</sup> *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

<sup>17</sup> Section 394.312.5, RSMo 2016.

To avoid any delay in providing service, the Commission finds it is reasonable to make this order effective in less than 30 days.

**THE COMMISSION ORDERS THAT:**

1. *Second Amendment to the Territorial Agreement Between Union Electric Company d/b/a Ameren Missouri (Attachment 1 to Joint Application to Amend Territorial Agreement, filed September 13, 2024), attached to this Order, is approved.*
2. The Property shall be removed from Co-Mo Electric Cooperative's exclusive Service Area No. 2 and placed within Ameren Missouri's exclusive Service Area No. 1.
3. Ameren Missouri shall file a revised tariff sheet setting out a map and/or legal description reflecting Ameren Missouri's territorial boundaries per the amendment.
4. This approval shall have no effect on Ameren Missouri's rates, with any rate considerations to be reserved to the currently open rate increase request in File No. ER-2024-0319.
5. This order shall be effective on November 9, 2024.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell  
Secretary

Hahn, Ch., Coleman, Holsman  
Kolkmeier, and Mitchell CC., concur.

Fewell, Regulatory Law Judge

**SECOND AMENDMENT TO THE TERRITORIAL AGREEMENT**

This Second Amendment is made and entered into as of the 29<sup>th</sup> day of August, 2024, by and between UNION ELECTRIC COMPANY d/b/a Ameren Missouri ("Company") and CO-MO ELECTRIC COOPERATIVE, INC. ("Cooperative). Company and Cooperative are sometimes referred to herein as a "Party" and collectively as the "Parties".

**RECITALS**

- A. Company and Cooperative are parties to a Territorial Agreement dated May 27, 2022, as amended by the First Addendum to the Territorial Agreement dated October 22, 2022 (the "Agreement");
- B. The precise land areas covered by the Territorial Agreement are described in detail in the legal descriptions and accompanying maps attached to the First Addendum to the Agreement (the "First Addendum");
- C. One of the areas reserved for electric service by Cooperative, identified as Co-Mo Area 2 in the First Addendum, includes the property of Richard and Felicia Murphy, located at 1915 Tisdale Drive, Boonville, Missouri 65233 ("1915 Tisdale");
- D. In response to an Application for Change of Electric Service Provider filed by Richard and Felicia Murphy, File No. EO-2024-0331, Cooperative and Company have agreed that Company shall be the sole provider of electric service to 1915 Tisdale. This agreement is reflected in the Stipulation and Agreement, which was approved by the Missouri Public Service Commission on July 18, 2024;
- E. Pursuant to Section 11.3 of the Agreement, the Parties therefore desire to amend the Agreement to reflect the change in electric service for 1915 Tisdale as described in the Stipulation and Agreement dated July 2, 2024.

**AGREEMENT**

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

- 1. **Modification of Territorial Agreement as to 1915 Tisdale.** First Amended Exhibit A identifies three areas reserved for electric service by Cooperative, labeled Co-Mo Area 1, Co-Mo Area 2, and Co-Mo Area 3. Likewise, First Amended Exhibit A identifies three areas reserved for electric service by Company, labeled Ameren Area 1, Ameren Area 2, and Ameren Area 3. Notwithstanding the maps and legal descriptions contained in the First Amended Exhibit A, 1915 Tisdale Drive is hereby removed from Co-Mo Area 2 and is

hereby added to Ameren Area 1. This change shall supersede the any of the maps and legal descriptions contained in the First Addendum and the Agreement. The approximate location of 1915 Tisdale is shown on the territory map attached as Exhibit 1 to this Second Amendment. For clarity, the purpose of this change is to remove 1915 Tisdale from Cooperative's service territory and add 1915 Tisdale to Company's service territory. None of Ameren Area 2, Ameren Area 3, Co-Mo Area 1, or Co-Mo Area 3 are changed by this Second Amendment.

2. **Lack of Approval.** If the Missouri Public Service Commission does not approve this Second Amendment, then this Second Amendment shall be null and void and of no legal effect between the Parties.
3. **No Other Agreement.** Except as modified herein, the terms and conditions of the Agreement, as amended by the First Addendum, remain in full force and effect according to their terms.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment on the date written above.

**Co-Mo Electric Cooperative**

**Union Electric Company d/b/a Ameren Missouri**



By: Aaron Bradshaw

By: Ryan Arnold

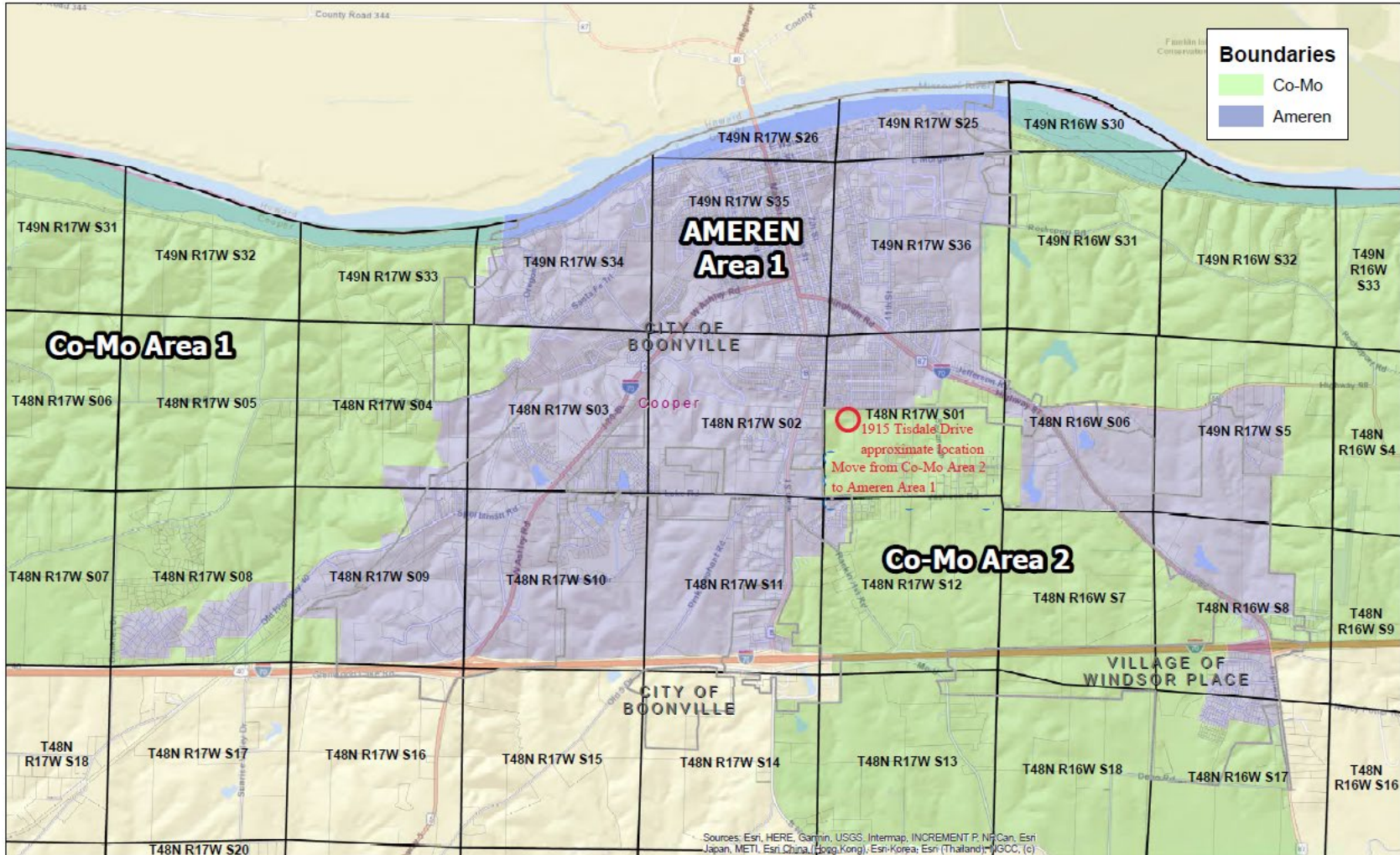
Title: CEO/General Manager

Title: Vice President of Division Operations



**Exhibit 1 – Approximate Location of 1915 Tisdale Drive as Shown in First Amended Exhibit A**

Co-Mo and Ameren Boundary - Cooper County  
**Boonville Area - Ameren Area 1**



Date Saved: 9/9/2022 5:28:21 PM

**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 30<sup>th</sup> day of October 2024.**



*Nancy Dippell*  
\_\_\_\_\_  
**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**October 30, 2024**

**File/Case No. EO-2025-0092**

**MO PSC Staff**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel  
(OPC)**

Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opc@opc.mo.gov

**Co-Mo Electric Cooperative,  
Inc.**

Megan McCord  
PO Box 14287  
Springfield, MO 65814  
mmccord@reclawfirm.com

**MO PSC Staff**

Paul Graham  
200 Madison Street  
Jefferson City, MO 65101  
paul.graham@psc.mo.gov

**Union Electric Company**

William Holthaus  
4062 Blaine Avenue St. Louis,  
MO  
St. Louis, MO 63110  
wholthaus@ameren.com

**Union Electric Company**

Jennifer Moore  
1901 Chouteau Avenue, Mail  
Code 1310  
St. Louis, MO 63103  
jmoore499a@ameren.com

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Nancy Dippell  
Secretary**

---

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