

**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

**SECOND ORDER DIRECTING NOTICE, REQUIRING A STAFF
RECOMMENDATION, AND SETTING A DEADLINE FOR INTERVENTION**

Issue Date: July 5, 2022

Effective Date: July 5, 2022

On May 27, 2022, 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 Regulatory Law Judge opened this case and transferred the territorial agreement into it because the territorial agreement included additional Missouri counties that required notice. The Commission issued notice of the territorial agreement on June 1, 2022. There was no application for the approval of the territorial agreement at that time, just a request to approve the stipulation and agreement and the territorial agreement.

On June 13, 2022, the Commission’s Staff (Staff) filed a motion to suspend the filing requirements in this case. The Commission suspended the filing requirements and on June 21, 2022, the Regulatory Law Judge held a procedural conference with the parties to address how to proceed with the two related matters. As a result of that conference the Applicants filed a joint application for approval of the territorial agreement. The law concerning territorial agreements requires the Commission to rule on the application no later

than 120 days from the application's filing date, and provides the right to a hearing.¹ However, a hearing may be waived by agreement of the parties.² Accordingly, the Commission must act on the application no later than October 29, 2022.

The statute provides that "notice of such filing shall be given to other electrical suppliers pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity."³ No regulation contains any provision for notice with regard to certificates of public convenience and necessity. The Commission will again direct that notice delivered to elected officials and published in newspapers. The Commission will also set a new deadline for intervention, and direct the filing of a staff recommendation.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send a copy of this order to the county commissioners of Cooper, Cole, and Moniteau Counties, Missouri.
2. The Commission's Public Policy and Outreach Department shall make this notice available to the members of the General Assembly representing Cooper, Cole, and Moniteau Counties, Missouri and to the newspapers and other media serving those counties.
3. Any person or entity wishing to intervene in this matter shall file an application to intervene no later than August 4, 2022.
4. The Staff of the Commission shall file a recommendation on the territorial agreement or a status report no later than August 4, 2022.

¹ Section 394.312.4 and 5, RSMo 2016.

² Section 394.312.5, RSMo 2016. This notice does not require any party to file an answer. Section 536.067(2)(d), RSMo 2016. The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

³ Section 394.312.4, RSMo 2016.

5. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 5th day of July, 2022.

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 5th day of July, 2022.**





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 5, 2022

File/Case No. EO-2022-0332

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

Sincerely,



**Morris L. Woodruff
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.