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July 9, 1999

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

**FILED**

JUL 9 1999

Missouri Public  
Service Commission

**RE: Union Electric Company and Ozark Border Electric Cooperative,  
Case No.: EO-99-599**

Dear Mr. Roberts:

Enclosed for filing in the above referenced case, please find the original and 14 copies of the **Office of the Public Counsel's Request for Local Public Hearing**. Please "file stamp" the extra enclosed copy and return it to this office. I have on this date mailed, faxed, or hand-delivered the appropriate number of copies to all counsel of record.

Thank you for your attention to this matter.

Sincerely,

Shannon Cook  
Assistant Public Counsel

SC:kh

cc: Counsel of Record

Enclosure

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

**FILED**

JUL 9 1999

Missouri Public  
Service Commission

**In The Matter of the Application of Union )  
Electric Company d/b/a AmerenUE and Ozark )  
Border Electric Cooperative for Approval of a )  
Written Territorial Agreement Designating the )  
Boundaries of Each Electric Service Supplier )  
within Portions of Bollinger, Butler, Carter, )  
Dunklin, Iron, Madison, New Madrid, Reynolds, )  
Ripley, Stoddard and Wayne Counties; )  
Authorizing the Sale, Transfer, and Assignment )  
of Certain Electric Distribution Facilities, )  
Easements and Other Rights Generally )  
Constituting the Applicant's Electric Utility )  
Business Associated with Its Customers )  
Transferred Pursuant to the Territorial )  
Agreement. )**

Case No. EO-99-599

**OFFICE OF THE PUBLIC COUNSEL'S REQUEST  
FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its  
Request for Local Public Hearing herein states as follows:

1. On June 16, 1999, Union Electric Company d/b/a AmerenUE and Ozark  
Border Electric Cooperative (jointly, Applicants) filed a Joint Application for approval of  
their Territorial and Exchange Agreement (the Agreement) pursuant to § 394.312(4)  
RSMo (1994).

2. In their Joint Application at paragraph (11) Applicants state:

The transfer of electric service to the Cooperative from  
AmerenUE, pursuant to the Contract, will result in reduced rates  
for the transferred customers. A rate comparison for three (3)  
customer usage patterns – 500 KWH, 750 KWH to 1000  
KWH, is attached as Exhibit I, is incorporated by reference and  
made a part hereof for all purposes. The rate comparison shows  
that for all analyzed usage patterns a Customer's annual cost of  
service from Cooperative will be less than from AmerenUE  
(emphasis added).

3. Apparently, if Applicants' Agreement were adopted as written, a rate increase would result for the approximately 427<sup>1</sup> customers whose electric service would be transferred from the Cooperative to Union Electric. Nearly all of those customers are located in the Dexter area in Stoddard County, Missouri.

4. Public Counsel received the Petition attached as Exhibit A hereto, purporting to be signed by 134 individuals whose electric service would be transferred to Union Electric if the Stoddard County portion of the proposed Agreement were approved by the Commission as it now reads. The Petition states that the signing individuals are opposed to having their electric service transferred to Union Electric, and that they desire a local public hearing in Dexter before the Commission makes a ruling on the Joint Application.

5. Public Counsel has also been contacted by e-mail and telephone by several of the Dexter area customers, all of whom are currently customers of the Cooperative who are opposed to the transfer to Union Electric. Public Counsel has not received any negative comments from customers outside Stoddard County who would be affected by the Agreement but would be transferred to the Cooperative.

6. Public Counsel believes that there is more than sufficient interest among customers in the Dexter area to justify the scheduling of a local public hearing in order to allow members of the public an opportunity to testify concerning the issues raised by the Applicants' Agreement and Joint Application.

7. In order to ensure that the public has adequate notice of the requested local public hearing, Public Counsel suggests the following:

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<sup>1</sup> This figure was derived from the number of addresses on the customer list provided in Exhibit F attached to Applicants' Agreement, attached to their Joint Application in this case.

a. Notice of the time, date and location of the local hearing, along with information regarding the amount of the proposed rate increase and the approximate percentage of the proposed increase, should be given to each affected customer, either by an imprint on the customer's monthly billing or a bill insert, or a separate mailing not more than 45 days or less than ten days prior to the date of the public hearing;

b. The newspapers in the relevant service areas, as listed in the current *Official Manual of the State of Missouri*, should be notified of the proposed increase as well as the date, time and location of the public hearing, not less than ten days before the date scheduled for the hearing, and should be requested to publish such notice seven and three days before the hearing in each newspaper's area;

c. Similar notice should be given to any radio and television stations in each area, not less than three days before the public hearing.

WHEREFORE, Public Counsel requests that the Commission issue its Order scheduling at least one local public hearing in this matter, more particularly in the city of Dexter in Stoddard County, Missouri, providing adequate notice to the public as requested herein, and for such other and further orders as the Commission deems necessary.

Respectfully submitted,

**OFFICE OF THE PUBLIC COUNSEL**



Shannon Cook #50169

Assistant Public Counsel

301 East High Street, P.O. Box 7800

Jefferson City, MO 65102-7800

Telephone: (573) 751-1304

Facsimile: (573) 751-5562

**Certificate of Service**

The undersigned hereby certifies that a true copy of the foregoing has been mailed, hand-delivered or faxed to all counsel of record as shown on the service list below this 9 day of July, 1999.



L. D.

I am a customer of Ozark Border Electric Cooperative in the Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am **OPPOSED** to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address
3/13/99	LAWRENCE DULEY	Lawrence Duley	13668 Co. Rd. 431 - Dexter
3/13/99	David Duley	David Duley	13913 Co Rd. 431 - Dexter
3/13/99	MARIAN DULEY	Marian Duley	13668 Co. Rd. 431 - Dexter
3/13/99	Liam L. Duley	Liam L. Duley	13913 Co Rd 431 Dexter Mo
3/12/99	ALLAN McCollough	Allan McCollough	13595 N Lakeview Dr. Dexter
3/12/99	Leda McCollough	Leda McCollough	13595 N Lakeview Dr. Dexter
3/13/99	JOHN VAUGHN	John Vaughn	13289 N Johnson Dr. Dexter
3/13/99	Jucille Vaughn	Jucille Vaughn	13289 N. Johnson Dr. Dexter,
3/13/99	Jerry Caldwell	Jerry Caldwell	13591 N. LAKEVIEW DR DEXTER MO
3/13/99	Melissa Caldwell	Melissa Caldwell	13591 N. LAKEVIEW DR DEXTER MO
3/13/99	Paul E. Hann	Paul E. Hann	16097 CR. 480 Dexter Mo.
3/13/99	Brenda K. Hann	Brenda K. Hann	16097 CR. 480 Dexter Mo.
3/13/99	Jerry Eddy	Jerry Eddy	16041 CR. 470 - DEXTER, MO.
3/13/99	Rodney Vaughn	Rodney Vaughn	16044 CR. 470 DEXTER MO.
3-13-99	Kimberly Vaughn	Kimberly Vaughn	16061 CR 470 Dexter MO
3-13-99	Gaine Roberts	Gaine Roberts	13741 Co Rd 431 Dexter, Mo. 63841
3/13/99	LARRY ROBERTS	Larry Roberts	" "
3-14-99	Alan Paul	Alan Paul	13799 Co 431 Dexter MO 63841
3-14-99	Sharon Layton	Sharon Layton	" " " "
3-16-99	Frank & Lois Layton	Frank & Lois Layton	13737 Co Rd 431 Dexter MO 63845
3-16-99	Carl & Nancy Layton	Carl & Nancy Layton	13777 Co Rd 431 Dexter, Mo.
3-16-99	J. L. & Betty Layton	J. L. & Betty Layton	15896 County Rd 482
3-16-99	Betty Layton	Betty Layton	13641 County Rd 431 Dexter Mo
3-16-99	Marylin Hunt	Marylin Hunt	15825 County Rd 480 DEXTER, MO
3-16-99	FRED HUNT	Fred Hunt	15825 County Rd 480 DEXTER,

TOTAL P.02

I am a customer of Ozark Border Electric Cooperative in Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am OPPOSED to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address
3-12-99	Jonathan Gallowsay	LouAnn Gallowsay	11367 Flowers Dr.
3-12-99	Mike Gallowsay	Mike Gallowsay	11367 Flowers Dr.
3-15-99	Ron Sells	Ron Sells	11625 Fairview Dr.
3-15-99	Peggy Sells	Peggy Sells	11625 Fairview Dr.
3-15-99	R. T. Kane	R. T. Kane	11658 Amy Lane
3-15-99	BROOK KANE	Brook Kane	11686 Amy Lane
3-15-99	DAN McCORD	Dan McCord	11033 Co Rd 637 *
3-15-99	SHARON McCORD	Sharon McCord	11033 CO RD 637 *
3-15-99	Kennie Stearns	Kennie Stearns	14288 State Hwy H. F. *
3-15-99	Carrie & Wade Stearns	Carrie Stearns	Fintley Dr. *
3-15-99	Nallas & Marka Buchanan	Marka Buchanan	County Rd 624 Dexter
3-15-99	ALMA HART	Alma Hart	15497 STATE Hwy AF
3-15-99	ALAN HART	Alan Hart	15497 STATE Hwy AF
3-15-99	David Clark	David Clark	11140 Doral Drive
3-15-99	Carla Miller	Carla Miller	13705 County Rd 612 *
3-15-99	Lynn Hooley	Lynn Hooley	13705 Co Rd 612 *
3-15-99	Ray Hooley	Ray Hooley	13705 Co Rd 612 *
3-15-99	Greg Miller	Greg Miller	13705 County Rd 612 *
3-15-99	Sam Johnson	Sam Johnson	
3-15-99	Manda Johnson	Manda Johnson	403 Clara Dr.
3-15-99	DILL TERNES	Dill Ternes	11472 County LN
3-16-99	DAM TERNES	Dam Ternes	11472 County LN
3/15/99	Vince Coburn	Vince Coburn	11274 Quail Hollow Circle
3/15/99	Sandra Clark	Sandra Clark	14970 Doral Drive
3/15/99	Sam Doyle	Sam Doyle	14074 County Rd 612

I am a customer of Ozark Border Electric Cooperative in Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am **OPPOSED** to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address	
3/12/99	Jerry Jenkins	Jerry Jenkins	15475 Co Rd 604 Dexter Mo	624-5311
3/12/99	TWA Griffin	Jana Griffin	13695 CR 431 Dexter Mo	624-3810
3/12/99	Charles Lintz	Charles Lintz	15774 CRY Rd 604 Dexter Mo	624-5470
3/12/99	Vollie Griffin	Vollie Griffin	13695 CR 431 Dexter Mo	624-3810
3/12/99	D. Willie Tipton	D. Willie Tipton	15174 CR 1 Dexter Mo	624-5472
3/12/99	Shari Stickle	Shari Stickle	17267 Pond Lane, Dexter Mo	624-5813
3/12/99	Terry Stickle	Terry Stickle	17267 Pond Lane Dexter	624-5813
3/12/99	CURT BEADLE	Curt Beadle	17540 DEE MAR LANE DEXTER	624-3860
3/12/99	Sheila Beadle	Sheila Beadle	17540 DEE MAR LN DEXTER MO	624-3860
3/14/99	Faustine Barber	Faustine Barber	16507 County Road 413 Dexter	624-4317
3-14-99	Turner Christian	Turner Christian	15165 County road 413 Dexter	624-4383
3-14-99	CHARLES CHRISTIAN	Charles Christian	15165 COUNTY RD 413 DEXTER MO	624-4383
3/14/99	Mary Kay Robinson	Mary Kay Robinson	17255 Robinson Ln Dexter Mo	624-5985
3/14/99	Robert Kelsey	Robert Kelsey	17067 Robinson Dexter mo	624-5985
3/14	Robert Kelsey	Robert Kelsey	17067 Robinson Dexter	624-5989
3/14/99	Lee Christian	Lee Christian	14815 CR 413 Dexter Mo	624-5214
3/14/99	Wanda Christian	Wanda Christian	14815 CR 413 Dexter Mo	624-5214
3/14/99	Terry Diebold	Terry Diebold	14857 Co Rd 413	624-4736
3/14/99	Louis Diebold	Louis Diebold	" " " " " "	" " " "
3-14-99	Donita Lintz	Donita Lintz	15687 Co Rd 413	624-4519
3-14-99	Geg Lintz	Geg Lintz	15687 Co Rd 413	624-4519
3-14-99	A. Hisaw	A. Hisaw	16881 N. Outer Rd	624-4624
3/14/99	J.C. BEARD	J.C. Beard	13739 Co Rd 413 DEXTER, MO.	624-6073
3/14/99	Millicent Beard	Millicent Beard	13739 Co Rd 413 Dexter Mo	624-6073
3-15-99	George Hampton	GEORGE HAMPTON	12572 State Hwy 22 Dexter	

I am a customer of Ozark Border Electric Cooperative in Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am **OPPOSED** to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address
3/15	Michael Duley	Michael Duley	16315 Co Rd 460
3/15	Judy Duley	Judy Duley	16315 Co Rd 460
3/15	Ronald S. Sherman	Ronald S. Sherman	13829 Co Rd 403
3/15	Daug. Shapman	Daug. Shapman	13783 Co Rd 403
3/15	L. David Fleming	L. David Fleming	13886 Co Rd 403
3/15	Betty M. Fleming	Betty Fleming	13886 Co Rd 403
3/15	Jim Gibson (Alvin)	Jim Gibson	14033 G Rd 405
3/15	Teresa Gibson	Teresa Gibson	14033 Co Rd 405
3/15	Garl Gibson	Garl Gibson	13973 Co Rd 405
3/15	Wendy Gibson	Wendy Gibson	13973 Co Rd 405
3/15	Jeffery Bush	Jeffery Bush	17187 Pond Lane
3/15	Cynthia Bush	Cynthia Bush	17187 Pond Lane
3/15	Eric Sitze	Eric Sitze	17525 Dee Mar Lane
3/15	Delisa Sitze	Delisa Sitze	17525 Dee Mar Ln
3/17	Al. McLeod		13292 W. 2nd Street Dexter
	Marjorie McLeod		" " " "
<del>3/17</del>	<del>Bob Lilly</del>		
3/17	Bob Lilly	Bob Lilly	16353 Co. Rd 460 Dexter, Mo.
3/17	Elizabeth Lilly	Elizabeth Lilly	16353 Co. Rd. 460 Dexter, Mo.
3/17	Rocky D. Moon	ROCKY MOORE	17358 POND LN DEXTER Mo
3/17	Robin M. Moon	ROBIN MOORE	" " "
3/17	Elmer L. Hoosier	Elmer L. Hoosier	16507 Co. Rd 460 DEXTER MO
3/17	Susy L. Hoosier	Susy L. Hoosier	16507 Co Rd 460 DEXTER MO

TOTAL P.02

D.C.  
 I am a customer of Ozark Border Electric Cooperative in the Dexter, Missouri area and I am at least 18 years old. It is my understanding that a proposed territorial agreement between the Cooperative and Union Electric Co. would cause my account to be transferred to Union Electric. I am **OPPOSED** to any such change, and I request that the Public Service Commission hold a local public hearing in Dexter prior to ruling on any such agreement.

Date	Name (PLEASE PRINT)	Signature	Street Address
3/15/91	Lisa Sayre	Lisa Sayre	14074 County Rd 612
3/15/91	Silas Sayre	Silas Sayre	14072 County Rd
3/15/91	Jerry Jarrell	Jerry Jarrell	14178 Cty Rd 612 *
3/15/91	Vicky Jarrell	Vicky Jarrell	14178 Cty Rd. 612 *
3/15/91	Nita Lemons	Nita Lemons	14254 Tamarak Ln.
3/15/91	BENNY LEMONS	Benny Lemons	14254 Tamarak Ln.
3/15/91	Ron Atherton	Ron Atherton	14557 CR 616
3/15/91	Judi Atherton	Judi Atherton	14557 CR 616
3/15/91	Debbie ESSNER	Debbie Essner	11455 Cypress Pt.
3/15/91	Kenneth Essner	Kenneth Essner	11455 Cypress Pt.
3/15/91	J. ALLEN FITTS	J. Allen Fitts	11327 Cypress Pt.
3/15/91	Kimberly A. Fitts	Kimberly A. Fitts	11327 Cypress Pt. Ln.
3-15-91	Tim Pence	Tim Pence	11225 Fairway Circle
3-15-91	Nancy Pence	Nancy Pence	" " "
	HAROLD A ROY	Harold Roy	11691 Fairway Circle Dr
	Shannon Cook	Shannon Cook	11642 Fairway Circle Dr. *
3/15/91	Christina Cook	Christina Cook	11326 QUAIL HOLLOW CR DEXTER
3/15/91	GREGORY D. SCOTT	Gregory D. Scott	11326 QUAIL HOLLOW CR. DEXTER

TOTAL P.02





