

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

In the Matter of the Application of Co-Mo)
Electric Cooperative for Approval of)
Designated Service Boundaries Within)
Portions of Cooper County, Missouri) **File No.: EO-2022-0190**

**LIST OF ISSUES, ORDER OF OPENING STATEMENTS, LIST AND ORDER OF
WITNESSES, AND ORDER OF CROSS EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, on behalf of all parties¹ to this matter, and provides its List of Issues, Order of Opening Statements, List and Order of Witnesses, and Order of Cross Examination:

List of Issues

- A. Do the terms of Section 386.800.3, RSMo apply on the facts of this case?
- B. Does factor 1 of Section 386.800.2, RSMo² favor Co-Mo, Ameren, or neither party? Factor 1: The preference of Landowners and prospective electric customers.
- C. Does factor 2 favor Co-Mo, Ameren, or neither party? Factor 2: The rates, terms, and conditions of service of the electric service suppliers.
- D. Does factor 3 favor Co-Mo, Ameren, or neither party? Factor 3: The economic impact on the electric service suppliers.
- E. Does factor 4 favor Co-Mo, Ameren, or neither party? Factor 4: Each electric service supplier’s operational ability to serve all or portions of the annexed area within three years of the date the annexation becomes effective.
- F. Does factor 5 favor Co-Mo, Ameren, or neither party? Factor 5: Avoiding the wasteful duplication of electric facilities.

¹ Hereinafter, Co-Mo Electric Cooperative will be referred to as “Co-Mo,” Union Electric Company, d/b/a Ameren Missouri, will be referred to as “Ameren,” and the Office of Public Counsel will be referred to as “OPC.”

² Hereinafter the factor numbers will refer to those set out in Section 386.800.2 (1) through (7), RSMo, which provides as follows: “The commission after the opportunity for hearing shall make its determination after consideration of the factors set forth in subdivisions (1) to (7) of subsection 2 of this section, and section 394.080 to the contrary notwithstanding, may grant its order upon a finding that granting of the applicant’s request is not detrimental to the public interest.”

G. Does factor 6 favor Co-Mo, Ameren, or neither party? Factor 6: Minimize unnecessary encumbrances on the property and landscape within the area to be annexed.

H. Does factor 7 favor Co-Mo, Ameren, or neither party? Factor 7: Preventing the waste of materials and natural resources.

I. In making its determination on Co-Mo’s application for authority, may the Commission apply the “Tartan” factors or other considerations historically applied by the Commission in certificate of convenience and necessity cases, in addition to the factors set forth in subdivisions (1) through (7) of subsection 2 of Section 386.800, RSMo? If so, should the Commission do so?

J. Does the application of the “Tartan” factors or such other considerations historically applied by the Commission in certificate of convenience and necessity cases, in addition to the factors set forth in subdivisions (1) through (7) of subsection 2 of Section 386.800, RSMo, favor Co-Mo, Ameren, or neither party?

K. Should the Commission find that granting Co-Mo’s application is not detrimental to the public interest?

Order Of Opening Statements

Co-Mo
Staff
Ameren

List and Order of Witnesses

I. Co-Mo	II. Ameren	III. Staff
Troy Thurman	Ralph Webb	David T. Buttig
Jon Schulte	Jonathan M. Schmidt	
Aaron Bradshaw	Steven M. Wills	

Order of Cross Examination

I. Co-Mo	II. Ameren	III. Staff
OPC	OPC	OPC
Staff	Staff	Co-Mo
Ameren	Co-Mo	Ameren

WHEREFORE, Staff respectfully submits this List of Issues, Order of Opening Statements, List and Order of Witnesses, and Order of Cross-Examination.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all counsel of record on this May 6, 2022 by electronic filing in EFIS, electronic mail, hand-delivery, or U.S. postage prepaid.

/s/ Paul T. Graham