

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 16th day of November, 2017.

In the Matter of the Application of the City)
of Farmington for a Change of Electric)
Supplier from Union Electric Company d/b/a)
Ameren Missouri to City of Farmington)
Light & Water)

File No. EO-2018-0058

ORDER APPROVING CHANGE OF SUPPLIER

Issue date: November 16, 2017

Effective Date: December 16, 2017

On August 28, 2017, the City of Farmington, Missouri (“City”), filed an application with the Missouri Public Service Commission (“Commission”), which was subsequently amended, requesting that its electric supplier be changed from Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) to the City of Farmington for the street lights located on Holly Tree Lane in Farmington, Missouri (Ameren Missouri accounts 1951317127 and 3951317125). The City states that when it was developed, Holly Tree Lane was outside the city limits of Farmington and electric service was provided by Ameren Missouri. That area was later annexed and further developed, and the City now provides electric, water, and sewer service to the area adjacent to Holly Tree Lane. The City states that due to construction of a new substation and distribution main nearby, the City wishes to provide electric service for the Holly Tree Lane street lights.

On August 29, 2017, the Commission made Ameren Missouri a party to this proceeding and directed it to file a response to the application. Ameren Missouri filed a

response stating that it does not object to the City's request to change the provider of electric service for the street lights located on Holly Tree Lane.

On October 27, 2017, the Commission's Staff filed its recommendation to approve the change of supplier request. In its recommendation, Staff states that the eight street lights on Holly Tree Lane were installed and are owned by the City. With the City's recent construction of a new substation and associated distribution facilities in a nearby location, the City is now capable of providing electric service to those eight street lights. The City's request is not based on the quality or reliability of the electric service currently being provided by Ameren Missouri. Staff recommends that the Commission grant the City's amended application, finding that the City's request for a change in electric supplier is in the public interest for a reason other than a rate differential. On November 2, 2017, the Office of the Public Counsel commented that it supports the Staff recommendation.

Ameren Missouri is an "electrical corporation" and a "public utility," as defined in Section 386.020, RSMo 2016, and is subject to the jurisdiction and supervision of the Commission. The City is a municipality of the State of Missouri. The application is within the Commission's jurisdiction to decide.¹ Since no law requires a hearing, this is a non-contested case.² Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.³ Consequently, the Commission bases its decision on the verified filings.

Section 393.106.2, RSMo 2016, gives the Commission authority to order a change of supplier on the basis that it is in the public interest for a reason other than a rate

¹ See, Sections 393.106 and 91.025, RSMo 2016.

² Section 536.010(4), RSMo 2016, defines a "contested case" as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing."

³ *Sapp v. City of St. Louis*, 320 S.W.3d 159, 163 (Mo. App. 2010).

differential. The Commission has reviewed the amended application, Ameren Missouri's written consent to the change in supplier, and Staff's verified recommendation and memorandum, and finds that the request is in compliance with all applicable statutes and rules and is in the public interest for a reason other than a rate differential. Based upon its independent and impartial review, the Commission will approve the application.

THE COMMISSION ORDERS THAT:

1. The City of Farmington, Missouri's amended application for approval of a change in electric supplier for the eight street lights located on Holly Tree Lane in Farmington, Missouri (Ameren Missouri accounts 1951317127 and 3951317125) is approved.
2. This order shall become effective on December 16, 2017.
3. This file may be closed on December 17, 2017.

BY THE COMMISSION



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

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Bushmann, Senior Regulatory Law Judge

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 16th day of November 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 16, 2017

File/Case No. EO-2018-0058

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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.