

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 10th day
of August, 2006.

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2006-0350</u>
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
)	
Respondent.)	

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: August 10, 2006

Effective Date: August 20, 2006

On June 14, 2006, the Staff Missouri Public Service Commission and Union Electric Company, d/b/a AmerenUE, filed a Stipulation and Agreement which purports to resolve all of the outstanding issues of this case. The Agreement requires: The payment of a \$2,000 penalty to the public school fund;¹ the adoption and implementation of a new procedure to be followed in any future low-pressure to high-pressure system conversions in Missouri; the submission by AmerenUE of a schedule for certain upgrades to Staff and the opportunity of Staff to monitor those upgrades, if any; and, the addition of relief valves on certain systems.

¹ Section 386.600, RSMo.

In the Stipulation and Agreement, contingent upon the Commission's acceptance of the Stipulation and Agreement, the parties waived their rights to cross-examine witnesses, to present oral argument or briefs, to have the transcript read by the Commission, and to rehearing and judicial review. Section 536.060, RSMo 2000, gives the Commission the authority to accept a stipulation and agreement as a resolution of this contested case.

Commission rule 4 CSR 240-2.115 provides that if no party requests a hearing, the Commission may treat a stipulation and agreement as a unanimous stipulation and agreement. No party has requested a hearing regarding any issue and therefore, the Stipulation and Agreement will be treated as a unanimous stipulation and agreement.

After reviewing the Stipulation and Agreement, Staff's memorandum in support of the Stipulation and Agreement, and the Staff Response to Order Directing Filing, the Commission finds the Agreement to be reasonable. The Commission determines that the Agreement shall be approved.

As part of the Agreement, the parties request that the Commission's investigation case, GS-2006-0199, involving the same incident be closed. The Commission shall close that case by a separate notice filed in that case.

IT IS ORDERED THAT:

1. The Stipulation and Agreement filed on June 14, 2006, is approved as a resolution of the issues in this case. A copy of the Stipulated Agreement is attached as Attachment A and incorporated as part of this order.

2. Union Electric Company, d/b/a AmerenUE, is ordered to comply with the terms of the Stipulation and Agreement.

3. No later than September 11, 2006, Union Electric Company, d/b/a AmerenUE, shall deposit \$2,000 in the Public School Fund and shall file a notice in this case indicating it has made the deposit.

4. This order shall become effective on August 20, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray and Appling,
CC., concur.

Clayton, C., concurs, with separate
concurring opinion to follow.

Gaw, C., dissents, with separate
dissenting opinion to follow.

Dippell, Deputy Chief Regulatory Law Judge