

UNION ELECTRIC COMPANY  
1901 GRATIOT STREET - ST. LOUIS

September 22, 1980

MAILING ADDRESS:  
P.O. BOX 118  
ST. LOUIS, MO 63166

Mr. D. Michael Hearst  
Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

RECEIVED  
SEP 24 1980  
MISSOURI  
PUBLIC SERVICE COMMISSION

Re: Case No. ER-80-190

Dear Mr. Hearst:

Enclosed is an original and nine (9) conformed  
copies of a Statement In Opposition To Motion To Intervene in the  
above numbered case.

Yours very truly,

*Michael F. Barnes*

Michael F. Barnes  
Attorney for Union  
Electric Company

enclosures

cc: Messrs. J. L. Carl  
D. Kay, Attorney for University City, MO  
K. M. Ragsdale, General Counsel  
Edward Cadieux, Hearing Examiner

FILED  
SEP 24 1980  
PUBLIC SERVICE COMMISSION

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

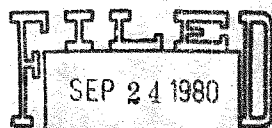
In the Matter of Union Electric )  
Company of St. Louis, Missouri )  
for Authority to File Revised )  
Tariffs for Incandescent Lighting )  
Service Provided to Customers in )  
the Missouri Service Area of the )  
Company )

Case No. ER-80-190

STATEMENT IN OPPOSITION TO MOTION TO INTERVENE

Comes now Union Electric Company ("Applicant") and moves the Commission to deny James L. Carl's ("Carl") Motion to Intervene and as grounds therefor states as follows:

1. On July 24, 1980 the Commission issued an order setting August 22, 1980 as the deadline to intervene in Case No. ER-80-190;
2. Carl did not file a motion to intervene until September 11, 1980 which was twenty (20) days after said deadline set by the Commission;
3. Motion filed by Carl did not state why said motion was not timely filed or should be allowed to be filed past the deadline established by the Commission;
4. Motion did not state good cause shown pursuant to late filed intervention regulation 4 CSR 240-2.110(14) in that:
  - A) Carl did in fact have the opportunity and did testify before the Commission at the St. Louis public hearing held on September 16, 1980 at 7:00 p.m. in the St. Louis County Council Chambers;
  - B) The Commission did in fact contact all Union Electric customers and cities affected by the revised



tariff in its Order of July 24, 1980, including  
University City where Mr. Carl is a resident;

5. Motion did not set forth as required by 4 CSR 240-  
2.110 (15);

A) The position or interest of the petitioner in  
the proceeding;

B) Or, whether petitioner's petition is in  
support of or opposed to the relief sought;

6. Motion does not comply with the requirements of 4  
CSR 240-2.080 in that it manifestly does not comply with the  
filing requirements of 4 CSR 240-2.080(7).

WHEREFORE, in view of the foregoing, Applicant moves  
that the Commission deny James L. Carl's Motion To Intervene.

Respectfully submitted,  
UNION ELECTRIC COMPANY

By Michael F. Barnes  
Michael F. Barnes  
Attorney for  
Union Electric Co.  
P.O. Box 149  
St. Louis, MO 63166  
(314) 621-3222

Dated at St. Louis, Missouri  
this 23rd day of September 1980



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Statement In Opposition To Motion To Intervene upon all parties of record in Missouri Public Service Commission Case No. ER-80-190 by mailing, by first class mail postage prepaid, a copy thereof to each such party as follows:

Dennis P. Kay  
Attorney for  
University City, Mo.  
6901 Delmar  
University City, Mo. 63130

Kent M. Ragsdale  
General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Mo. 65102

James L. Carl  
7110 Washington Ave.  
University City, Mo. 63130

Dated at St. Louis, Missouri  
this 22nd day of September, 1980.

/s/ Michael F. Brumer