

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

In the Matter of an Investigation into an	)	
Incident in December 2005 at the Taum Sauk	)	
Pumped Storage Project Owned and	)	<b><u>Case No. ES-2007-0474</u></b>
Operated by the Union Electric Company,	)	
doing business as AmerenUE	)	

**ORDER GRANTING STAFF'S MOTION TO OPEN CASE BUT DENYING**  
**STAFF'S REQUEST TO OPEN CONTESTED CASE**

Issue Date: June 19, 2007

Effective Date: June 19, 2007

On June 8, 2007, the Staff of the Missouri Public Service Commission filed a Motion to Open Investigation into the Taum Sauk Incident that occurred on the night of December 14-15, 2005. In its request, Staff states that the Upper Reservoir Dam at the Taum Sauk Pumped Storage Project, which was an electric energy generation facility, collapsed causing injury to persons and damage to property. Noting the Commission's responsibility for ensuring safe delivery of electricity service in Missouri, Staff asked the Commission to open a contested case docket and hold an evidentiary hearing.

On June 12, 2007, Union Electric Company d/b/a AmerenUE filed its opposition to Staff's motion, asserting that Staff was motivated by a June 4, 2007 newspaper article to initiate its proposed investigation. If opened, this investigation would be the sixth investigation, would be redundant and unnecessary, and may slow the efforts to reach a resolution of this issue between AmerenUE and the Missouri Department of Natural Resources and the Missouri Attorney General, enabling a prompt rebuilding of the Taum Sauk facility. On June 15, 2007, Staff filed its response to AmerenUE. Staff

suggested that AmerenUE's recent performance has lead to public demand for this investigation and that the news article suggested the dam collapse may have been caused by entirely avoidable human error.

The Commission has reviewed Staff's request and AmerenUE's response and, finding it reasonable to open this investigation, will do so for the purpose of receiving an Incident Report. Staff's request to open a contested case docket will be denied.

**IT IS ORDERED THAT:**

1. Case No. ES-2007-0474 is established for the purpose of conducting an investigation into the incident which occurred on the night of December 14-15, 2005 in Reynolds County, Missouri.

2. The Staff of the Commission's request to open a contested case docket is denied.

3. The Staff of the Commission shall file a report no later than 120 days from the date of this order.

4. Any responses to Staff's report shall be filed 30 days after Staff files its report.

5. If the result of the investigation is sufficient to warrant any action against AmerenUE or its officers or agents, then such action shall be requested in a different docket.

6. This order shall become effective on June 19, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', with a stylized, cursive script.

Colleen M. Dale  
Secretary

(S E A L)

Colleen M. Dale, Chief Regulatory Law Judge, by  
delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 19th day of June, 2007.