

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

In the Matter of Union Electric Company, d/b/a	)	
AmerenUE's Tariffs to Increase Its Annual	)	<b><u>Case No. ER-2008-0318</u></b>
Revenues for Electric Service	)	Tariff Nos. YE-2008-0605

**ORDER DIRECTING PUBLIC COUNSEL TO REPLY TO AMERENUE'S  
RESPONSE TO MOTION TO MAKE TESTIMONY PUBLIC**

Issue Date: April 22, 2008

Effective Date: April 22, 2008

On April 11, 2008, the Office of the Public Counsel filed a motion asking the Commission to make public certain direct testimony filed as highly confidential by Union Electric Company, d/b/a AmerenUE. Public Counsel's motion explains that the Commission's rule allows a party to prefile testimony as highly confidential or proprietary without any explanation of why that information should be protected from public disclosure. That rule also allows any party to challenge that designation, and thereby obtain an explanation from the filing party about why the information should not be disclosed. Public Counsel's motion acknowledges there may be valid reasons for the testimony to remain sealed, but asks AmerenUE to explain its classification of the testimony.

AmerenUE filed a responsive pleading on April 21, explaining why it believes most of the challenged testimony should be treated as highly confidential. For one item of testimony, AmerenUE reduced the designation from highly confidential to proprietary.

Before ruling on Public Counsel's motion to make testimony public, the Commission will direct Public Counsel to reply to AmerenUE's response, indicating whether, after considering the explanation offered by AmerenUE, it still contends the challenged testimony should be made public.

**IT IS ORDERED THAT:**

1. The Office of the Public Counsel shall reply to Union Electric Company, d/b/a AmerenUE's response to Public Counsel's Motion to Make Testimony Public no later than May 2, 2008.
2. This order shall become effective on April 22, 2008.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Morris L. Woodruff, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 22<sup>nd</sup> day of April, 2008.