

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

In the Matter of an Investigation into Whether)
Ratepayers are being Held Harmless from the)
Taum Sauk Disaster) **Case No. ER-2008-0015**

**ORDER ESTABLISHING TIME FOR RESPONSE TO PUBLIC
COUNSEL’S MOTION TO OPEN CASE**

Issue Date: July 16, 2007

Effective Date: July 16, 2007

On July 12, 2007,¹ the Office of the Public Counsel (“OPC”) filed its “Motion to Open a New Case to Investigate Whether Ratepayers are being Held Harmless from the Taum Sauk Disaster.” In the motion, OPC states that the purpose of this case would be different in scope and purpose than the Commission’s ongoing investigation case concerning this same subject matter, Case No. ES-2007-0474. Specifically, OPC claims that an additional formal case will ensure that this important issue is timely addressed, will allow other interested parties to intervene and participate, and will provide the Commission’s Staff a vehicle to make the results of its current investigation public.

The Commission has scheduled a hearing in its investigation case, ES-2007-0474, for July 24, and Union Electric Company, d/b/a AmerenUE (“AmerenUE”) is presumably actively preparing for that hearing at this time. Completion of that hearing may aid the Commission in its decision as to whether it should open another case into this matter.

¹ All dates throughout this order refer to the year 2007 unless otherwise noted.

Additionally, the Commission notes that OPC served copy of its motion on various other regulated utilities and industry and consumer groups. In order to provide the Commission adequate time to digest the evidence adduced at the July 24 hearing, and to provide other interested entities and AmerenUE and adequate opportunity to respond to OPC's motion, the Commission shall set a thirty-day response time to OPC's motion. Any entity wishing to respond to OPC's motion shall file its response no later than August 16, 2007.

IT IS ORDERED THAT:

1. Any party wishing to respond to the Office of the Public Counsel's July 12, 2007, Motion to Open a New Case to Investigate Whether Ratepayers are being held Harmless from the Taum Sauk Disaster shall file its response no later than August 16, 2007.
2. This order shall become effective on July 16, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of July, 2007.