

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 GRANTING LEAVE TO FILE OUT OF TIME
AND DIRECTING FILING

Issue Date: April 25, 2008

Effective Date: April 25, 2008

On December 26, 2007, the Commission directed its Staff to file a series of status reports in this matter, the last of which was due on April 16, 2008. In that same scheduling order, the Commission directed the Office of the Public Counsel (“Public Counsel”) to file a position statement one week after Staff filed its April 16, 2008¹ Status Report (i.e., April 23) or one week after Staff filed its final status report and recommendation, which ever was earliest.

On April 23, Staff late-filed its last status report. Staff requested leave to late-file its report asserting that in attempting to address the concerns of Public Counsel, and because of other demands on-going with Staff’s other cases before the Commission, its resources were greatly challenged and prevented Staff from timely-filing its report. Staff further noted that because Union Electric Company, d/b/a AmerenUE (“AmerenUE”) had recently filed a rate making case with the Commission, it would be seeking consolidation of these two matters in a separate motion. That motion was filed the same day as the status report.

¹ All dates following this date will refer to the year 2008 unless otherwise noted.

The Commission finds Staff's request to late-file its status report to be reasonable and shall grant it. Additionally, because Staff late-filed its report, the Commission cancels the previous deadline set for Public Counsel to file its position statement. In lieu of the position statement, Public Counsel will be directed to file a response to Staff's motion to consolidate this matter with AmerenUE's pending rate case, Case No. ER-2008-0318.

IT IS ORDERED THAT:

1. The Staff of the Missouri Public Service Commission's request for leave to file the status report described in the body of this order is granted.
2. The Staff of the Missouri Public Service Commission's April 23, 2008 status report to the Commission is deemed to be timely received.
3. The deadline set for the Office of the Public Counsel to file its position statement, i.e. April 23, 2008, is canceled.
4. The Office of the Public Counsel shall respond to the Staff of the Missouri Public Service Commission's motion to consolidate this matter with Case No. ER-2008-0318 no later than May 5, 2008.

5. This order shall become effective on April 25, 2008.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

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 25th day of April, 2008.