

**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) Case No. ER-2008-0015
Taum Sauk Disaster)

STAFF REPLY TO PUBLIC COUNSEL'S REPLY TO STAFF RESPONSE

Comes now the Staff of the Missouri Public Service Commission in reply to the Public Counsel's Reply To Staff Response filed by the Office of the Public Counsel (Public Counsel) on September 10, 2007. In reply, the Staff states as follows:

1. The Staff in its September 24, 2007 Motion For Additional Time requested leave to file a response beyond the ten (10) days allowed by 4 CSR 240-2.080(15) so that, among other things, it may more substantively address, even in a limited manner, the matters raised by Public Counsel in its request for a formal proceeding. As the Staff indicated in its September 24, 2007 filing, contrary to the impression that the Staff apparently has imparted, that due to other audit activity the Staff has done nothing substantive in response to the Commission's May 22, 2007 Report And Order in Case No. ER-2007-0002 directing the Staff to investigate whether ratepayers are being held harmless from the Taum Sauk disaster, especially with regard to lost regulatory capacity sales, the Staff has been engaged in some such activity.

2. Rather than continue to attempt to gauge from Public Counsel's filings what Public Counsel is seeking and Public Counsel's expectations for Staff's investigation, the Staff has met with Public Counsel and now believes it has more of an understanding of both Public Counsel's position and its expectation respecting a timeframe for the Staff's investigation. The Staff intends to submit an interrogatory to Union Electric Company, d/b/a AmerenUE (AmerenUE) in the next week to ten (10) days and anticipates that it will likely follow-up AmerenUE's responses to the interrogatory with depositions. The Staff envisions this discovery

activity occurring sporadically over the remainder of the current year into the first quarter of 2008 not to vex AmerenUE or needlessly prolong the Staff's inquiry, but as being necessitated by the busy schedule of filings, hearings and holidays in the remainder of 2007 and early 2008 which the Staff and others face.

3. Public Counsel has indicated to the Staff that it is amenable to such a schedule. If that is not the case, the Staff anticipates that Public Counsel will advise the Commission through a filing in this case in response to this pleading. Moreover, if this schedule does not meet the Commission's expectations, the Staff expects that the Commission will issue an Order and further direct the Staff.

Wherefore the Staff submits its reply to Public Counsel's Reply To Staff Response in further response to the Commission's Orders in this proceeding initiated by request of the Office of the Public Counsel.

Respectfully submitted,

/s/ Steven Dottheim

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 28th day of September 2007.

/s/ Steven Dottheim