

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a	)	
AmerenUE's Tariff Establishing an Industrial	)	<b><u>Case No. ET-2007-0459</u></b>
Demand Response Program	)	Tracking No. YE-2010-0198

## ORDER APPROVING TARIFF AND DIRECTING RESPONSE

Issue Date: October 14, 2009

Effective Date: October 15, 2009

On September 15, 2009, Union Electric Company, d/b/a AmerenUE issued a tariff that will withdraw the industrial demand response program the Commission approved on February 14, 2008. That tariff carries an effective date of October 15. Upon receiving the tariff filing, the Commission ordered its Staff to file a recommendation about the tariff no later than October 6. That order also directed that any other party wishing to file a recommendation do so no later than October 6.

Staff filed its recommendation on October 6, explaining that changes in the market tariffs of the Midwest Independent Transmission System Operator (MISO) have had a serious impact on AmerenUE's industrial demand response program, such that there are no longer any participants in that program. Staff recommends the Commission either approve AmerenUE's tariff canceling that program, or allow the tariff to go into effect by operation of law.

Public Counsel also filed a recommendation on October 6 in which it agrees the Commission should approve AmerenUE's tariff. However, Public Counsel explains that the approved stipulation and agreement by which AmerenUE's industrial demand response

program was created, requires AmerenUE to conduct a pilot program evaluation to determine whether the program was effective in obtaining the curtailment contracted for with the customer. Public Counsel complains that AmerenUE has not filed the required evaluation and asks the Commission to order AmerenUE to conduct and file such evaluation within ninety days.

Based on the recommendations of Staff and Public Counsel, the Commission will approve AmerenUE's tariff withdrawing the industrial demand response program. The Commission will also order AmerenUE to respond to Public Counsel's request for an order requiring AmerenUE to conduct and file an evaluation of that program.

**THE COMMISSION ORDERS THAT:**

1. The proposed electric service tariff sheets submitted under Tracking File No. YE-2010-0198 by Union Electric Company, d/b/a AmerenUE, are approved, effective on and after October 15, 2009. The specific tariff sheets approved are:

**MO P.S.C. Schedule No. 5**

---

**18<sup>th</sup> Revised Sheet No. 125, Canceling 17<sup>th</sup> Revised Sheet No. 125  
1<sup>st</sup> Revised Sheet No. 219, Canceling Original Sheet No. 219  
Reserved for Future Use – Original Sheet Nos. 219, 220, 221, 222, 223, & 224**

2. No later than October 26, 2009, Union Electric Company, d/b/a AmerenUE shall file its response to Public Counsel's request that the Commission order Union Electric Company, d/b/a AmerenUE to conduct and file a pilot program evaluation of its industrial demand response program.

3. This order shall become effective on October 15, 2009.

(S E A L)

**BY THE COMMISSION**



Steven C. Reed  
Secretary

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

Dated at Jefferson City, Missouri,  
on this 14<sup>th</sup> day of October, 2009.