

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 15 day of  
March, 2007.

In the Matter of Union Electric Company d/b/a	)	
AmerenUE's Tariffs Increasing Rates for	)	<b><u>Case No. GR-2007-0003</u></b>
Natural Gas Service Provided to Customers	)	Tariff No. YG-2007-0008
in the Company's Missouri Service Area	)	

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date: March 15, 2007

Effective Date: March 25, 2007

Syllabus: This order approves the stipulation and agreement submitted by the parties.

On July 7, 2006, Union Electric Company d/b/a AmerenUE submitted proposed tariff sheets (YG-2007-0008) intended to implement a general rate increase for natural gas service provided to retail customers in its Missouri service territory. On July 11, the Commission suspended the Company's proposed tariff sheets until June 4, 2007.

On March 8, 2007, Union Electric Company d/b/a AmerenUE, the Staff of the Commission, the Office of the Public Counsel, the Missouri Department of Natural Resources, the Missouri School Boards' Association, and the Missouri Retailers Association filed a stipulation and agreement to resolve all pending issues in this case. On the same date, the signatory parties filed a motion asking the Commission to approve the stipulation and agreement by March 15, to allow the proposed rate changes to go into

effect on April 1. A copy of the stipulation and agreement is attached to this order as Attachment 1.

Not all parties signed the stipulation and agreement. However, Commission Rule 4 CSR 240-2.115(2) provides that if no party objects to a nonunanimous stipulation and agreement within seven days of its filing, the Commission may treat that stipulation and agreement as unanimous. No party has filed a timely objection to the stipulation and agreement and the Commission will treat it as unanimous.

On March 14, the Commission held an on-the-record presentation regarding the proposed stipulation and agreement. At that proceeding, the Commission questioned the signatory parties, as well as the party that did not sign but did not object to the stipulation and agreement.

As a part of the stipulation and agreement, the parties agreed to specific tariff language that AmerenUE will file to implement the agreed upon annual gas revenue increase of \$6 million, effective for services rendered on and after April 1, 2007. That tariff has not yet been filed but the stipulation and agreement asks the Commission to authorize AmerenUE to file such a tariff. The stipulation and agreement also asks the Commission to allow that tariff, after it is filed, to become effective on April 1, 2007. AmerenUE agrees not to file a natural gas rate case for three years from the date the Commission approves this stipulation and agreement.

The Commission has the legal authority to accept a stipulation and agreement as offered by the parties as a resolution of issues raised in this case.<sup>1</sup> Furthermore, Section 536.090, RSMo Supp. 2005, provides that when accepting a stipulation and agreement, the

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<sup>1</sup>Section 536.060, RSMo Supp. 2005.

Commission does not need to make either findings of fact or conclusions of law. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence.<sup>2</sup> Since no one has requested a hearing in this case, the Commission may grant the relief requested based on the stipulation and agreement.

Based on the agreement of the parties and the testimony received at the on-the-record presentation, the Commission believes that the parties have reached a just and reasonable settlement in this case.

**IT IS ORDERED THAT:**

1. The Stipulation and Agreement filed on March 8, 2007, is approved as a resolution of all issues in this case (See Attachment 1).
2. All signatory parties are ordered to comply with the terms of the Stipulation and Agreement.
3. The proposed gas service tariff sheets (YG-2007-0008) submitted on July 7, 2006, by Union Electric Company d/b/a AmerenUE are rejected.
4. Union Electric Company d/b/a AmerenUE is authorized to file the tariff sheets agreed to as part of the Stipulation and Agreement. Union Electric Company d/b/a AmerenUE may request that the tariff sheets be allowed to become effective on April 1, 2007.

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<sup>2</sup> *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

5. This order shall become effective on March 25, 2007.

( S E A L )

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

Davis, Chm., Murray, Clayton, and Appling, CC, concur.  
Gaw, C, dissents with separate dissenting opinion to follow.

Woodruff, Deputy Chief Regulatory Law Judge