

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

In the matter of Union Electric)	
Company d/b/a AmerenUE's)	
Purchased Gas Adjustment Factors to)	<u>Case No. GR-2008-0107</u>
be Audited in its 2006-2007 Actual)	
Cost Adjustment.		
In the matter of Union Electric)	
Company d/b/a AmerenUE's)	
Purchased Gas Adjustment Factors to)	<u>Case No. GR-2008-0366</u>
be Audited in its 2007-2008 Actual)	
Cost Adjustment.		
In the matter of Union Electric)	
Company d/b/a Ameren Missouri's)	
Purchased Gas Adjustment Factors to)	<u>Case No. GR-2009-0337</u>
be Audited in its 2008-2009 Actual)	
Cost Adjustment.		
In the matter of Union Electric)	
Company d/b/a Ameren Missouri's)	
Purchased Gas Adjustment Factors to)	<u>Case No. GR-2010-0180</u>
be Audited in its 2009-2010 Actual)	
Cost Adjustment.		
In the matter of Union Electric)	
Company d/b/a Ameren Missouri's)	
2010-2011 ACA Audit.)	<u>Case No. GR-2012-0077</u>
)	

**STAFF SUPPLEMENTAL RECOMMENDATION TO
ESTABLISH ENDING ACA BALANCES AND CLOSE CASES**

COMES NOW, the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), by and through the undersigned counsel, and for its *Supplemental Recommendation to Establish Ending ACA Balances and Close Cases*, respectfully states as follows:

1. In each of these ACA cases, Staff previously recommended that the Commission hold the ACA case open due to the MPC and MGC (now known as MoGas Pipeline, LLC. ("MoGas")) transportation overcharge issue.

2. On July 15, 2013, Union Electric Company d/b/a Ameren Missouri (“Ameren”) (jointly with Laclede Gas Company (“Laclede”)) filed a Joint Motion requesting the Commission dispose of all MoGas issues with respect to these ACA cases. According to the Joint Motion, Ameren, Laclede and MoGas had reached a Settlement Agreement (a copy of which was attached to the Joint Motion) pursuant to which MoGas was required to pay Ameren a settlement payment of approximately \$3,506,000 (MoGas was also required to make a separate settlement payment to Laclede).

3. On July 29, 2013, Staff filed its *Response to Joint Verified Motion of Union Electric Company d/b/a Ameren Missouri and Laclede Gas Company*. In that Response, Staff stated that “before the ACA cases themselves are ‘closed’ the Staff’s Procurement Analysis Unit will need to confirm the receipt and amount of the settlement payment. It will also verify Ameren Missouri (and Laclede) includes all money received from MoGas in its ACA account. The Commission should not approve final ACA balances until the balances are summarized in a table of final ACA balances...until such time as the funds are credited and recognized in Ameren Missouri’s and Laclede’s accounts and reviewed by Staff, the Staff recommendation is to leave the relevant ACA cases open.”

4. By order issued on August 14, 2013 and effective August 24, 2013, the Commission granted the Joint Motion to resolve all MoGas issues subject to the requirement that, on a going forward basis, Ameren (and Laclede) return the funds to be paid to them by MoGas to their retail customers through their PGA mechanisms as provided in the Settlement Agreement. The order also stated that the ACA cases shall

remain open until any non-MoGas related issues are resolved and final ACA balances are established in each such case.

5. As reflected in the memorandum attached hereto as **Appendix A**, which is incorporated herein by this reference, Staff has now verified Ameren's receipt of the \$3,506,000 settlement payment, and that the payment was included in Ameren's ACA balance and included in the determination of Ameren's ACA factors beginning November 1, 2013.

6. As also reflected in **Appendix A**, there are no non-MoGas issues outstanding in any of these Ameren ACA cases which require Commission resolution. Therefore, Staff recommends the Commission establish the ending ACA balances in each of these ACA cases as set forth in **Appendix A** and close these cases.

WHEREFORE, Staff respectfully requests that the Commission issue an order establishing the ending ACA balances for each of these cases as set forth in **Appendix A** attached hereto and closing each of these ACA cases, and making such further orders as the Commission deems necessary.

Respectfully submitted,

/s/ Jeffrey A. Keevil

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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 31st day of December, 2013.

/s/ Jeffrey A. Keevil

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case Nos. GR-2008-0107 and GR-2008-0366, Union Electric Company
d/b/a AmerenUE; and
Case Nos. GR-2009-0337, GR-2010-0180, and GR-2012-0077, Union Electric
Company d/b/a Ameren Missouri

FROM: Anne Crowe, Regulatory Auditor – Procurement Analysis

/s/ David M. Sommerer 12/31/13
Project Coordinator / Date

/s/ Jeff Keevil 12/31/13
Staff Counsel's Office / Date

SUBJECT: Staff Supplemental Recommendation in Case No. GR-2008-0107, Union Electric
Company d/b/a AmerenUE, 2006-2007 Actual Cost Adjustment Filing;

Case No. GR-2008-0366, Union Electric Company d/b/a AmerenUE, 2007-2008
Actual Cost Adjustment Filing;

Case No. GR-2009-0337, Union Electric Company d/b/a Ameren Missouri, 2008-
2009 Actual Cost Adjustment Filing;

Case No. GR-2010-0180, Union Electric Company d/b/a Ameren Missouri, 2009-
2010 Actual Cost Adjustment Filing;

Case No. GR-2012-0077, Union Electric Company d/b/a Ameren Missouri, 2010-
2011 Actual Cost Adjustment Filing

DATE: December 31, 2013

I. REFUND OF MISSOURI PIPELINE COMPANY (MPC) AND MISSOURI GAS COMPANY (MGC) OVERCHARGES

Staff filed its ACA Recommendations in the following Ameren Missouri (“Ameren”) ACA cases
on the following dates:

Case No.	Date
GR-2008-0107	12/15/08
GR-2008-0366	12/29/09
GR-2009-0337	12/20/10
GR-2010-0180	10/19/12
GR-2012-0077	12/21/12

In each of these ACA cases, the Staff recommended that the Commission hold the ACA case
open due to the MPC and MGC (now known as MoGas Pipeline, LLC. (“MoGas”))
transportation overcharge issue.

Ameren had firm transportation service agreements with intrastate pipelines MPC and MGC. In Case No. GC-2006-0491, the Commission determined that MPC and MGC had been overcharging non-affiliated customers, *i.e.*, that MPC and MGC charged Ameren rates that exceeded the lawful maximum rates. Ameren filed a petition in Cole County Circuit Court, Case No. 09AC-CC00398, to recover overcharges from MPC and MGC. On September 25, 2012, the Circuit Court issued a judgment that found Ameren was entitled to recover from MoGas an amount of \$7,449,885.68 plus interest. On October 30, 2012, an Amended Judgment and Order was entered which ordered that Ameren recover \$7,449,885.68 from MoGas, plus pre-judgment interest in the amount of \$5,237,102.71, plus post-judgment interest at the statutory rate. On July 15, 2013 Ameren and Laclede Gas Company (“Laclede”) filed a Joint Motion requesting the Commission dispose of all MoGas issues with respect to their ACA cases. The Joint Motion stated that Ameren, Laclede, and MoGas reached a Settlement Agreement and MoGas was required to pay Ameren \$3,506,000 as settlement of Ameren’s overcharge claims. By order issued on August 14, 2013 and effective August 24, 2013, the Commission granted Ameren’s and Laclede’s Motion to resolve all MoGas issues subject to the requirement that, on a going forward basis, Ameren (and Laclede) return the funds to be paid to them by MoGas to their retail customers through their PGA mechanisms as provided in the Settlement Agreement. The order also stated the ACA cases shall remain open until any non-MoGas related issues are resolved and final ACA balances are established in each such case.

Staff has verified Ameren’s receipt of the \$3,506,000 settlement payment, that the payment was included in Ameren’s ACA balance and included in the determination of Ameren’s ACA factors beginning November 1, 2013. There are no non-MoGas outstanding issues in any of the Ameren ACA cases listed above which require Commission resolution. Therefore, Staff recommends the Commission establish the ending ACA balances in each of these ACA cases and close the cases listed above.

II. RECOMMENDATION

Staff recommends the Commission issue an order establishing the ending ACA balances for each of the following cases as set forth below and closing each of the ACA cases:

An over-recovery is the amount owed to the customers by the Company and is shown in the tables as a negative number. An under-recovery is an amount owed to the Company by the customers and is shown in the tables as a positive number.

MO PSC Case Nos.

GR-2008-0107; GR-2008-0366; GR-2009-0337; GR-2010-0180; GR-2012-0077

Official Case File Memorandum

December 31, 2013

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Case No. GR-2008-0107, ACA Balances as of August 31, 2007

	August 31, 2007 Ending Balances
Natural Gas Pipeline Co. of America: Firm Sales ACA	\$ 9,699
Panhandle Eastern Pipe Line Co: Firm Sales ACA	\$ (4,775,793)
Interruptible Sales ACA	\$ 24,660
Rolla (former Aquila Eastern) System: Firm Sales	\$ (321,237)
Texas Eastern Transmission Corp: Firm Sales	\$ (1,980,504)
Interruptible Sales	\$ (520,463)

Case No. GR-2008-0366, ACA Balances as of August 31, 2008

	August 31, 2008 Ending Balances
Firm Sales ACA	\$ 2,767,643
Interruptible Sales ACA	\$ (46,672)
Rolla System: Firm Sales	\$ (343,862)

Case No. GR-2009-0337, ACA Balances as of August 31, 2009

	August 31, 2009 Ending Balances
Firm Sales ACA	\$(3,444,553)
Interruptible Sales ACA	\$(94,451)
Rolla System: Firm Sales	\$12,809

Case No. GR-2010-0180, ACA Balances as of August 31, 2010

	August 31, 2010 Ending Balances
Firm Sales ACA	\$(211,033)
Interruptible Sales ACA	\$(127,830)
Rolla System: Firm Sales	\$(688,551)

Case No. GR-2012-0077, ACA Balances as of August 31, 2011

	August 31, 2011 Ending Balances
Firm Sales ACA	\$4,582,602
Interruptible Sales ACA	\$22,184
Rolla System: Firm Sales	\$(416,656)

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of Union Electric Company d/b/a)
AmerenUE's Purchased Gas Adjustment)
Factors to be Audited in its 2006-2007 Actual) Case No. GR-2008-0107
Cost Adjustment.)

In the matter of Union Electric Company d/b/a)
AmerenUE's Purchased Gas Adjustment)
Factors to be Audited in its 2007-2008 Actual) Case No. GR-2008-0366
Cost Adjustment.)

In the matter of Union Electric Company d/b/a)
Ameren Missouri's Purchased Gas Adjustment)
Factors to be Audited in its 2008-2009 Actual) Case No. GR-2009-0337
Cost Adjustment.)

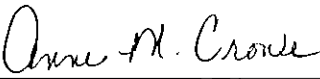
In the matter of Union Electric Company d/b/a)
Ameren Missouri's Purchased Gas Adjustment)
Factors to be Audited in its 2009-2010 Actual) Case No. GR-2010-0180
Cost Adjustment.)

In the matter of Union Electric Company d/b/a)
Ameren Missouri's 2010-2011 ACA Audit.) Case No. GR-2012-0077

AFFIDAVIT OF ANNE M. CROWE

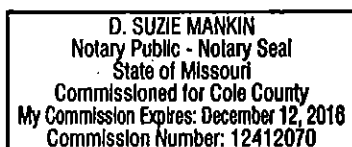
STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

Anne M Crowe, being of lawful age, on her oath states: that as a Utility Regulatory Auditor IV in the Procurement Analysis Unit of the Utility Services Department, she has participated in the preparation of the foregoing memorandum consisting of 3 pages to be presented in the above case; that she has knowledge of the matters set forth in the Memorandum pertaining to *Refund of Missouri Pipeline Company (MPC) and Missouri Gas Company (MGC) Overcharges*; and that such matters are true and correct to the best of her knowledge and belief,



Anne M. Crowe

Subscribed and sworn to before me this 31st day of December 2013.





Notary Public