

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the matter of Union Electric Company's)
d/b/a AmerenUE Purchased Gas)
Adjustment Factors to be Audited in its) Case No. GR-2008-0366
2008-2009 Actual Cost Adjustment.)

MOTION TO ACCEPT STAFF'S MEMORANDUM

CONCERNING AMERENUE'S ACTUAL COST ADJUSTMENT

AND TO LEAVE CASE OPEN PENDING RESULTS OF A PETITION FILED

IN COLE COUNTY CIRCUIT COURT

COMES NOW the Staff of the Commission in the above-captioned matter and submits its Memorandum concerning AmerenUE's 2007-2008 Actual Cost Adjustment (ACA) filing. Staff also requests the Commission leave this case open pending AmerenUE's pursuit of overpayment for transportation of natural gas to Missouri Pipeline Company and Missouri Gas Company. In support, Staff states:

1. The Procurement Analysis Department (PAD Staff) reviews many aspects of AmerenUE's gas purchasing practices for prudence, as well as the Company's analyses performed to assure future reliability.
2. In the attached memorandum, Staff reviews AmerenUE's Missouri operations, its supply contracts, the adequacy of the Company's planning to meet its customers' future needs and AmerenUE's hedging activities.
3. Staff's review includes an analysis of the billed revenues and actual gas costs used in the Company's calculations of its ACA rates. Staff then compares the billed

revenue with the actual costs to determine if the Company over or under-recovered its actual gas costs.

4. In this case Staff is not recommending any dollar adjustments to the Company's filed ACA account balances.

5. Staff is recommending this case remain open pending recovery of overpayment to Missouri Pipeline Company (MPC) and Missouri Gas Company (MGC). (See p. 3 of the attached Staff Memorandum for a complete discussion).

6. Since Staff's memorandum was finalized, the Western District Court of Appeals for Missouri, in Case No. WD70325, unanimously affirmed the Commission's October 4, 2007 Revised Report and Order in which the Commission determined that, by giving an affiliate lower transportation rates, MPC and MGC had lowered their rates for non-affiliated customers.

7. Ameren has filed a petition in Cole County circuit Court against MPC and MGC (n/k/a MoPipe) to recover the amount of overpayment.

WHEREFORE Staff recommends the Commission order this case remain open pending AmerenUE's pursuit of refunds from MPC and MGC in the case filed in Cole County Circuit Court.

Respectfully submitted,

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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 29th day of December, 2009.

/s/ Lera L. Shemwell