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

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In the Matter of Union Electric Company d/b/a Ameren Missouri's Tariff Filing to Implement Changes to the Energy Efficient Natural Gas Equipment and Building Shell Measure Rebate Program

Case No. GT-2011-0130, et al.

## CORRECTION TO PUBLIC COUNSEL'S MOTION FOR RECONSIDERATION

COMES NOW the Missouri Office of the Public Counsel ("OPC") and for its

Correction to Public Counsel's Motion for Reconsideration states as follows:

1. In OPC's Motion for Reconsideration filed on November 29, 2010, OPC

stated:

UE's claim that they are withdrawing the tariff filing (which to the best of OPC's knowledge has not been withdrawn as of the date of this filing), has no bearing on the issue which prompted the scheduling of the expedited hearing – that is, the issue of UE ceasing to accept new rebate applications from residential customers.

2. At the time OPC made this statement, no separate notice of withdrawal

had been served on OPC, and no separate notice of withdrawal had been filed in the case.

OPC believed any such withdrawal would be served on OPC pursuant to 4 CSR 240-

2.065(3), which states:

(3) When a pleading, which objects to a tariff or requests the suspension of a tariff, is filed, the commission shall establish a case file for the tariff and shall file the tariff and pleading in that case file. All subsequent pleadings, orders, briefs, and correspondence concerning the tariff shall be filed in the case file established for the tariff. Any pleading to suspend a tariff shall attach a copy of the tariff and include a certificate of service to confirm that the party who submitted the tariff has been served with the pleading.

3. On November 30, 2010, counsel for Union Electric Company d/b/a Ameren Missouri (UE) contacted counsel for OPC and explained that the tariff was withdrawn on November 23, 2010 through an EFIS entry. OPC received no prior notice of this EFIS entry. OPC hereby corrects its Motion for Reconsideration to state that according to EFIS, tariff JG-2011-0211 has been withdrawn.

WHEREFORE, the Office of the Public Counsel respectfully offers this correction.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

## By: /s/ Marc D. Poston

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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 30th day of November 2010:

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