

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

In the Matter of the First True-Up	)	
Filing Under the Commission-	)	
Approved Fuel Adjustment Clause of	)	File No. ER-2010-0274
Union Electric Company d/b/a Ameren Missouri.	)	

**JOINTLY PROPOSED PROCEDURAL SCHEDULE**

COME NOW the Staff of the Missouri Public Service Commission (the “Staff”) and Union Electric Company d/b/a Ameren Missouri (“Company” or “Ameren Missouri”), and hereby file this Jointly Proposed Procedural Schedule. In this regard, the Staff and Ameren Missouri state as follows:

1. On December 1, 2010, the Company filed an Application to implement the true-up of the First Recovery Period—October 1, 2009 to September 30, 2010—that has been completed under its fuel adjustment clause (“FAC”).
2. On December 13, 2010, the Commission issued an Order and Notice establishing a deadline for applications to intervene of January 3, 2011.
3. On December 30, 2010, the Staff filed a Recommendation that requested the Commission order Ameren Missouri to include a credit of \$121,636, with accumulated monthly interest, in the adjustment to its “FPA” rate for Ameren Missouri’s Sixth Recovery Period as a true-up of the First Recovery Period. The Company disagrees with the Staff’s Recommendation. Instead, it is the Company’s position that the true-up of the First Recovery Period requires an additional charge of \$482,239, plus accumulated interest. The difference in the Staff’s and the Company’s positions arises from a disagreement regarding whether the per kilowatt hour Net Base Fuel Costs (“NBFC”) used to determine FAC charges on customer bills through the FAC were calculated properly.
4. On January 10, 2011, the Company filed a Response to the Staff’s Recommendation and asked the Commission to schedule a Prehearing Conference so the parties could discuss the procedure

for proceeding in this case. The Commission granted the Company's request on January 13, 2011, and held a Prehearing Conference on January 24, 2011. The Staff and Ameren Missouri appeared at the Prehearing Conference. At the Prehearing Conference the Regulatory Law Judge presiding over this matter indicated his desire to suspend the timeline applicable to the processing of true-up filings for a period of one hundred twenty days beyond the 60-day period within which, under the applicable FAC rules, the true-up filing was to be processed by the Commission. The Staff and Ameren Missouri concurred in the suspension. By order dated January 24, 2011, the processing timeline was suspended to May 29, 2011.

5. The Staff and Ameren Missouri have discussed the appropriate manner by which to proceed in this case and agree that the most appropriate procedure is the filing of a Joint Stipulation of Facts followed by briefs from the parties. This procedure is based on the assumption that the facts relevant to the dispute in this case are, in fact, undisputed. Ameren Missouri and Staff have scheduled a technical conference for February 7, 2011, during which they should determine whether any facts are disputed. Consequently, resolving this case may depend only upon the resolution of legal issues for which no factual record, beyond that which will be contained in the Joint Stipulation of Facts, is necessary.

6. Therefore, the Staff and Ameren Missouri hereby jointly propose the following Procedural Schedule, and ask the Commission to adopt the same:

Filing of Joint Stipulation of Facts	February 18, 2011
Ameren Missouri's Initial Brief	March 11, 2011
Staff's Responsive Brief	April 1, 2011
Ameren Missouri's Reply Brief	April 11, 2011

After the foregoing Joint Stipulation of Facts and briefs are filed, the case would be ready for decision by the Commission.

WHEREFORE, the Staff and Ameren Missouri hereby request the Commission to enter its order adopting the foregoing Jointly Proposed Procedural Schedule.

Respectfully submitted,

SMITH LEWIS, LLP

/s/James B. Lowery

James B. Lowery, #40503  
Suite 200, City Centre Building  
111 South Ninth Street  
P.O. Box 918  
Columbia, MO 65205-0918  
Phone (573) 443-3141  
Facsimile (573) 442-6686  
[lowery@smithlewis.com](mailto:lowery@smithlewis.com)

**Attorneys for Union Electric Company d/b/a  
Ameren Missouri**

UNION ELECTRIC COMPANY

d/b/a Ameren Missouri

Thomas M. Byrne, #33340  
Managing Associate General Counsel  
1901 Chouteau Avenue, MC-1310  
P.O. Box 66149, MC-1310  
St. Louis, MO 63101-6149  
(314) 554-2514 (Telephone)  
(314) 554-4014 (Facsimile)  
[tbyrne@ameren.com](mailto:tbyrne@ameren.com)

/s/ERIC DEARMONT

Eric Dearmont  
Assistant General Counsel  
Missouri Bar No. 60892  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-5472 (Telephone)  
(573) 751-9285 (Fax)  
[eric.dearmont@psc.mo.gov](mailto:eric.dearmont@psc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was served via e-mail on all counsel of record to the case in which the fuel adjustment clause in effect for the true-up filing made herein was approved, on this 4th day of February, 2011.

/s/James B. Lowery