

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

In the Matter of the Adjustment of Union Electric)	
Company d/b/a Ameren Missouri's Fuel Adjustment)	<u>File No. ER-2014-0022</u>
Clause for the 13 th Accumulation Period)	Tariff No. JE-2014-0042

**THE MIEC'S RECOMMENDATION TO MODIFY TARIFF
SHEET TO REFLECT REFUND ORDERED ON JULY 31, 2013**

COME NOW the Missouri Industrial Energy Consumers ("MIEC") and for their Recommendation to Modify Tariff Sheet to Reflect Refund, state as follows:

1. The MIEC members are parties to this matter because they were parties to the underlying rate case where Ameren Missouri was allowed the subject fuel adjustment clause ("FAC").

2. On July 31, 2013, this Commission ordered Ameren Missouri to refund \$26.343 million to ratepayers as a result of imprudence in Ameren Missouri's calculation of prior FAC charges to ratepayers ("Order"). The Order is final.

3. Five days prior to the Order, July 26, 2013, Ameren Missouri filed a proposed tariff sheet under Rules 4 CSR 240-20.090(4) and 4 CSR 240-3.161(7) seeking approval to adjust its fuel adjustment rates billed to its customers effective September 24, 2013.

4. On August 23, 2013, Staff submitted its recommendation on Ameren Missouri's request. Therein, it recommends that the refund required by the Order not be included in the calculation of FAC surcharge effective September 24, 2013. The only reason given for the recommended delay in recovery of the refund is that the Order was issued five days after Ameren Missouri's submission and that Ameren Missouri was expected to include the refund in its contemplated November 2013 request to modify its FAC tariff.

5. With all due respect to Staff, ratepayers should not be required to wait any longer for

their refunds of excessive charges, particularly when many ratepayers are struggling themselves, many times forced to borrow money at double digit interest rates. The issue of the refund is final and settled. Even Ameren Missouri acknowledged in its Schedule EW-FPA attached to its submission that a “Prudence Adjustment Amount” could be warranted.

6. There is nothing preventing Ameren Missouri and Staff from reworking the FAC rates to reflect the refund in the Order well before the September 24 effective date of the new tariff.

7. In the event that the Commission does not accept this recommendation, the MIEC requests the Commission set this matter for an immediate hearing.

WHEREFORE, the MIEC respectfully requests that the Commission order Ameren Missouri to adjust its FAC tariff to reflect the refund required by this Commission’s Order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was mailed, electronically, to all counsel of record.

/s/ Edward F. Downey