

MICHAEL A. VITALE
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HERZOG, CREBS & MCGHEE, LLP

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November 14, 2001

Via Federal Express

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, Missouri 65101

FILED

NOV 15 2001

Missouri Public
Service Commission

Re: MPSC Case No. EC-2002-112

Dear Mr. Roberts:

Enclosed you will find an original and nine copies of the Respondent AmerenUE's Motion for Expedited Hearing.

Please file the original and eight copies of this pleading with the Commission and return the extra copy file-stamped to me in the enclosed self-addressed stamped envelope.

If anything further is needed to file this pleading, please let me know.

Yours very truly,

HERZOG, CREBS & MCGHEE, LLP



Michael A. Vitale

MAV/mh
Enclosures

FILED

NOV 15 2001

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

STERLING MOODY, STERLING'S MARKET
PLACE AND STERLING'S PLACE, I,

Complainants,

v.

AMERENUE, UNION ELECTRIC CO. d/b/a
AMERENUE, and MIKE FOY, LEROY ETTLING,
and SHERRY MOSCHNER, as employees of
AmerenUE,

Respondents.

Missouri Public
Service Commission

Case No. EC-2002-112

RESPONDENT AMERENUE'S MOTION FOR EXPEDITED HEARING

Comes now respondent, AmerenUE, and for its Motion for Expedited Hearing
states as follows:

Procedural Facts

1. The Complaint in this action was filed with the Missouri Public Service Commission (the "Commission") on August 21, 2001.
2. Since the filing of the Complaint, complainants have rejected respondents' request for mediation.
3. In addition, complainants have filed their Request for Pre-Hearing Conference asking that a pre-hearing conference "be scheduled as soon as possible" after the filing of respondents' Answer to the Complaint so that this matter can proceed expeditiously.
4. On October 29, 2001, the Commission entered its Order Directing Filing Staff Investigation and Report, directing the Commission's Staff to investigate the issues herein and to file a report of its findings no later than November 29, 2001.

Facts

5. The Complaint filed herein relates to the provision of electric service by respondent AmerenUE to property located at 8350 North Broadway in the City of St. Louis, Missouri.

6. As noted in the Complaint, and in respondents' Answer previously filed herein, the electric service provided by respondent AmerenUE to 8350 North Broadway has been billed since at least 1998 on two business accounts relating to three separate meters on the property.

7. Also as stated in the Answer, an agreement was entered into on May 18, 2001 between complainant Sterlings Marketplace I, Inc., P. & B. Real Estate, L.L.C. (the owner of the premises at 8350 North Broadway) and respondent AmerenUE with respect to (1) the payment for electric service to the three meters from that date forward, (2) the payment of amounts past due for electric service provided prior to that date and (3) a release of any claims for disputes existing prior to the date of the agreement. A copy of the agreement is attached hereto as Exhibit 1 and incorporated herein by reference.

8. As part of the agreement, complainant Sterlings Marketplace I, Inc. acknowledged it was delinquent on the bills it had received for electric service prior to May 18, 2001 and further agreed to pay the compromised amount of \$89,000 with respect to those past due bills. At the same time, respondent AmerenUE agreed to forego approximately \$135,000 in unpaid bills due from Sterlings Marketplace I, Inc.

9. Subsequent to May 18, 2001, bills for electric service to the three meters have been directed, as provided in the parties' agreement, to Sterlings Marketplace I,

Inc. (Account No. 52300-02444 - Meter Nos. 01859500 and 50688215) and P. & B. Real Estate, L.L.C. (Account No. 57300-01916 – Meter No. 70593313).

Account No. 52300-02444 – Sterlings Marketplace I, Inc.

10. Since May 18, 2001, respondent AmerenUE has issued six bills for electric service to Sterlings Marketplace I, Inc. under Account No. 52300-02444 for electric service from May 18, 2001 to October 25, 2001. While partial payment has been made for this service, as of the date of this Motion, \$19,178.82 is due and owing respondent AmerenUE. This amount is exclusive of late payment charges and payments due from Sterlings Marketplace I, Inc. for service provided prior to May 18, 2001, which payments are also due and owing to respondent AmerenUE. This amount also does not include \$10,333.25 for which Sterlings Marketplace I, Inc. presented a check to respondent AmerenUE on July 30, 2001. That check was returned for insufficient funds but has since been made good. See Exhibit 2 attached hereto and made a part hereof by reference.

Account No. 57300-01916 – P. & B. Real Estate, L.L.C.

11. Since July 2001, respondent AmerenUE has issued five bills for electric service to P. & B. Real Estate, L.L.C. under Account No. 57300-01916 for electric service from June 1, 2001 to October 25, 2001. As of the date of this Motion, \$32,659.15 is due and owing respondent AmerenUE for this service, including late fees.

12. P. & B. Real Estate, L.L.C. returned the first bill sent to it for service following the May 18, 2001 agreement, disclaiming all responsibility for its payment. See Exhibit 3 attached hereto and made a part hereof by reference. Subsequent bills have also been returned unpaid by P. & B. Real Estate, L.L.C. See Exhibits 4 and 5 attached hereto and made a part hereof by reference.

13. On August 2, 2001, a check in the amount of \$8,202.53, drawn on the account of Sterlings Marketplace I, Inc., was presented to respondent AmerenUE in payment of a bill to P. & B. Real Estate, L.L.C. That check was returned insufficient funds and has not been made good by either Sterlings Marketplace I, Inc. or P. & B. Real Estate, L.L.C. See Exhibit 6 attached hereto and made a part hereof by reference.

14. As a result of the disclaimer and refusal of P. & B. Real Estate, L.L.C. to accept responsibility for or pay the bills for the service provided under Account No. 5730-01916, there is no customer who has accepted responsibility for these bills, although respondent AmerenUE continues to provide service to this account.

15. Upon information and belief, respondent believes disconnection of service to Account No. 57300-01916 will also cause some disruption in service for Sterlings Marketplace I, Inc. Respondents have not been able to confirm this fact because of P. & B. Real Estate, L.L.C. and Sterlings Marketplace I, Inc.'s unwillingness to cooperate in resolving this matter. See paragraphs 16 and 17 below.

Respondent AmerenUE's Attempts to Resolve

16. It is apparent a dispute continues between landlord (P. & B. Real Estate, L.L.C.) and tenant (Sterlings Marketplace I, Inc.) with respect to who is responsible for the payment of bills for electric service to Account Nos. 52300-02444 and 57300-01916 at 8350 North Broadway. Respondent AmerenUE has previously offered its services to inspect the internal wiring at 8350 North Broadway in attempt to help resolve the dispute between P. & B. Real Estate, L.L.C. and Sterlings Marketplace I, Inc., although it has no legal obligation to do so. See Exhibit 7 attached hereto and made a part hereof by reference.

17. Complainants have failed to respond to respondent AmerenUE's offer. Despite this fact, however, respondent remains willing to provide its assistance to help resolve this landlord-tenant dispute. Since it has no legal right to enter the premises to inspect the internal wiring of 8350 North Broadway by P. & B. Real Estate, L.L.C., consent to such an inspection by P. & B. Real Estate, L.L.C. will be necessary.

18. As of the date of this Motion for Expedited Proceedings, respondent AmerenUE continues to provide electric service to the three meters at 8350 North Broadway without receiving payment therefor. In addition, significant amounts remain due and owing respondent AmerenUE for electric service provided to the three meters prior to May 18, 2001.

19. Notwithstanding the Commission's Order Directing Filing Staff Investigation and Report, until such time as the Commission addresses the issues raised in the Complaint and the Answer, and a determination is made as to who is responsible for the payment for electric service provided to the three meters, respondent AmerenUE will be forced to continue to provide electric service without receiving payment for same and with the likelihood that no payment for said service will ever be received.

WHEREFORE, respondent, AmerenUE, respectfully requests the Commission enter its Order expediting these proceedings and establishing a schedule consistent with the Proposed Procedural Schedule attached hereto as Exhibit 8 and made a part hereof by reference, and for such other and further relief the Commission deems just and proper.

HERZOG, CREBS & McGHEE, LLP

By:



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(314) 231-6700 – Telephone
(314) 231-4656 – Facsimile
mav@hcmlp.com - E-Mail

and

James J. Cook MBE #22697
Managing Associate General Counsel
Ameren Services Company
One Ameren Plaza
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, Missouri 63166-6149
(314) 554-2237 – Telephone
(314) 554-4014 - Facsimile

Attorneys for Respondents AmerenUE,
Union Electric Co d/b/a AmerenUE,
Mike Foy, Leroy Ettling and Sherry
Moschner

Certificate of Service

The undersigned hereby certifies that a copy of Respondent AmerenUE's Motion for Expedited Proceedings was mailed first class, postage prepaid this 14th day of November 2001 to Office of Public Counsel, P.O. Box 7800, Jefferson City, Missouri 65102, Office of General Counsel, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102 and Freeman Bosley, Jr., 1601 Olive Street, First Floor, St. Louis, Missouri 63103-2344, attorney for complainants.



May 18, 2001

Sterling Marketplace I, Inc.
c/o Sterling's Market
8350 North Broadway
St. Louis, Missouri 63147
Attention: Mr. Sterling Moody

P. & B. Real Estate, L.L.C.
8540 North Broadway
St. Louis, Missouri 63147
Attention: Mr. Engelbert Schonlau



Re: Dispute with respect to Meter Numbers 01859500,
50688215 and 70593313

Gentlemen:

This letter agreement (this "Agreement") sets forth the terms of the agreements reached between AmerenUE ("UE"), Sterling Marketplace I, Inc. ("Sterling") and P. & B. Real Estate, L. L. C. ("P. & B.") in connection with any and all disputes among such parties regarding amounts past due and owing to UE for utilities provided by UE to Sterling and P. & B., as evidenced by the readings shown on the electricity meters identified in the caption above.

With respect to meter numbers 01859500 and 50688215 and the corresponding account numbers 52300-02426 and 52300-02417 (hereinafter collectively referred to as the "Sterling Account"), Sterling hereby acknowledges and agrees that it is delinquent in the payment to UE of the sum of \$89,000.00 (the "Sterling Settlement Amount"). Sterling further agrees that commencing one month after the date of this Agreement, Sterling shall make consecutive monthly payments of \$2,000.00 per month (in addition to the regular monthly bill for services from UE), payable to UE by cashier's or certified check, such payments to be made on or before the due date of each regular monthly bill for services from UE, until such outstanding balance of \$89,000.00 is paid in full. Sterling further agrees that from the date of this Agreement, Sterling shall be solely responsible for the timely payment to UE of any charges incurred in connection with meter numbers 01859500 and 50688215. In the event Sterling is delinquent in its payments of any sums owed in connection with the payment to UE of the Sterling Settlement Amount or any and all future payments for charges incurred on the Sterling Account, UE reserves the right to discontinue all service under the Sterling Account without incurring any liability whatsoever to Sterling.

EXHIBIT 1

UE expressly reserves the right to collect any and all amounts outstanding and past due in excess of the Sterling Settlement Amount, and owed according to meter numbers 01859500 and/or 50688215, from any third parties that UE determines are responsible for such amounts outstanding and past due.

With respect to meter number 70593313 (the "Common Area Meter") and the corresponding account number 57300-01916 (the "Common Area Account"), it is agreed by the parties to this Agreement that commencing on the date hereof, payment of the charges incurred as shown on the Common Area Meter shall be the sole responsibility of P. & B. and that the name now shown on the Common Area Account shall be changed to be in the name of "P. & B. Real Estate, L.L.C." Sterling and P & B hereby agree and acknowledge that \$124,526.06 is past due and owing to UE in connection with charges incurred to date as recorded on the Common Area Meter, and that Sterling and P. & B. shall be responsible only for the payment to UE of \$45,000.00 of such amount past due and owing (the "Common Area Settlement Amount"). It is acknowledged by the parties to this Agreement that Sterling and P& B have heretofore delivered to UE checks totaling \$45,000, however, notwithstanding the use of the words "successor accounts for P. & B. Real Estate" as appearing on that certain handwritten receipt, dated May 14, 2001, and signed by a representative of UE, Sterling and P.&B. hereby agree that the following checks delivered to UE on May 14, 2001, shall be applied only to the payment of the Common Area Settlement Amount:

Cashier's check #4406406972, dated May 10, 2001, in the amount of \$12,500.00;

Cashier's check #4406406993, dated May 14, 2001, in the amount of \$2,500.00; and

Check # LD 009275, dated May 14, 2001, in the amount of \$30,000.00.

(A copy of the above checks are attached to this Agreement as Exhibit "A".)

In the event Gateway National Bank does not honor any of the above listed checks, UE reserves the right to discontinue all service under the Common Area Account without incurring any liability whatsoever to Sterling and/or P. & B.

UE expressly reserves the right to collect any and all amounts outstanding and past due in excess of the Common Area Settlement Amount, and owed according to meter number 70593313, from any third parties that UE determines are responsible for such amounts outstanding and past due.

The parties hereto acknowledge and agree that there is an existing deposit in the amount of \$9,493.00 in the Common Area Account and that UE shall transfer such deposit to the Sterling Account.

The parties hereto agree to withdraw any complaints currently pending before the Missouri Public Service Commission (MPSC).

If you are in agreement with the terms and conditions contained in this Agreement, please indicate so by signing this Agreement and returning it to the undersigned. Once Sterling and P. & B. have signed this Agreement, UE shall restore the service it has heretofore discontinued.

Sincerely,
AmerenUE

By: Frank Reple

Agreed to this 18th day of May, 2001.

STERLINGS MARKETPLACE I, INC.

By: [Signature]

P. & B. REAL ESTATE, L.L.C.

By: Burt B. Schenck



4-144

No.LD 009275

GATEWAY NATIONAL BANK

ST. LOUIS, MISSOURI

DATE May 14 2001

PAY TO THIRTY THOUSAND AND NO/100 *****
 THE ORDER OF AMEREN UE ***** AMOUNT \$30,000.00

AMEREN UE

GATEWAY NATIONAL BANK

LOAN DISBURSEMENT
FOR P & B REAL ESTATE LLC

REQUIRES TWO SIGNATURES

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈081001442⑈ 13⑈144⑈9⑈

**GATEWAY NATIONAL BANK**

0810

4406406993

CASHIER'S CHECK

22-1676
960DATE May 14, 2001

PAY EXACTLY \$2,500.00 DOL 00 CTS

2,500.00

TO THE ORDER OF
AMEREN UE

STERLING MARKET PLACE

REMITTER:
 PRUDENTIAL
 FIRST STAR BANK OF MINNESOTA, N.A.
 ST. PAUL, MN

Lisa Gates
 AUTHORIZED SIGNATURE

⑈096016765⑈00440 64069930⑈

**GATEWAY NATIONAL BANK**

0810

4406406972

CASHIER'S CHECK

22-1676
960DATE May 10, 2001

PAY EXACTLY \$12,500.00 DOL 00 CTS

12,500.00

TO THE ORDER OF
AMEREN UE

STERLING MARKETPLACE

REMITTER:
 PRUDENTIAL
 FIRST STAR BANK OF MINNESOTA, N.A.
 ST. PAUL, MN

Lisa Gates
 AUTHORIZED SIGNATURE

⑈096016765⑈00440 64069723⑈

P & B REAL ESTATE L.L.C.

5933 Jackson Avenue • Saint Louis, Missouri 63134 • 314-521-4848 • Fax 314-521-2244

June 1, 2001

Mr. Leroy Ettling
AmerenUE
PO Box 66301
St. Louis, MO 63166

RE: Broadway Plaza Center
8350 N. Broadway

Dear Mr. Ettling,

In an effort to clean up, once again, the billing of electric usage at the above location listed below are the meter numbers at the above location and who is responsible for payment:

P & B Real Estate is responsible for two meters - #97801372 and #97643340. We are being billed for, and paying for, electric usage on these two meters.

Since you restored power to Sterling Moody, his three meter numbers are 01859500, 50688215 and 70593313. Please send all charges for these meters to Mr. Moody at Sterling's Marketplace. P & B Real Estate has nothing to do with these three meters.

Sincerely,



Bert B. Schonlau

BBS/ps

P & B REAL ESTATE, L.L.C.

5933 JACKSON AVENUE
ST. LOUIS, MO 63134
314-521-4848 / 800-826-0071
FAX# 314-521-2244
www.slrcompany.com / info@slrcompany.com

OUTGOING FAX COVER SHEET

DATE: 8-1-01

TO: MRS BRYANT Ameren U.E.

FAX#: 314-992-6755

FROM: Bert Schanlau

REGARDING: BROADWAY PLAZA

NUMBER OF PAGES (INCLUDING COVER): (2)

SPECIAL NOTES: Please Find attached a copy of our letter to Mr. Ertling regarding our Shopping Center located at 8350 North Broadway. Ameren U.E. elected to restore Power to Mr. Moody at Sterling's Market Place. P+B is the landlord of this Property. Mr. Moody is a Tenant and is responsible for his electric meter (3)

Bert B. Schanlau
C.E.O

P & B REAL ESTATE L.L.C.

5933 Jackson Avenue • Saint Louis, Missouri 63134 • 314-521-4848 • Fax 314-521-2244

June 1, 2001

Mr. Leroy Ettling
AmerenUE
PO Box 66301
St. Louis, MO 63166

RE: Broadway Plaza Center
8350 N. Broadway

Dear Mr. Ettling,

In an effort to clean up, once again, the billing of electric usage at the above location listed below are the meter numbers at the above location and who is responsible for payment:

P & B Real Estate is responsible for two meters - #97801372 and #97643340. We are being billed for, and paying for, electric usage on these two meters.

Since you restored power to Sterling Moody, this three meter numbers are 01859500, 50688215 and 70593343. Please send all charges for these meters to Mr. Moody at Sterling's Marketplace. P & B Real Estate has nothing to do with these three meters.

Sincerely,


Bert B. Schonlau

BBS/ps

P & B REAL ESTATE, L.L.C.

5933 JACKSON AVENUE
ST. LOUIS, MO 63134
314-521-4848 / 800-826-0071
FAX# 314-521-2244
www.slrcompany.com / info@slrcompany.com

OUTGOING FAX COVER SHEET

DATE: 8-16-01

TO: Mrs Bryant Ameren U.E.

FAX#: 314-992-6755

FROM: Bert Scholten

REGARDING: Account # 573.00-01916

NUMBER OF PAGES (INCLUDING COVER): _____

SPECIAL NOTES: I am again faxing to you paperwork
to clear up 8350 N Broadway. P+B Real Estate
has (1) Account # 0606-236-5081-01. I have
attached a copy of our last bill which we paid
on 8-13-01 for \$1199.54. Sheet #2. You are billing
P+B for Account # 57300-01916 which is NOT
our bill - copy attached sheet #3. This bill
goes to Sterling's Market and not us. I have
again faxed to sheets #4, #5 which I sent
to you on 8-1-01.

Bert Scholten
CEO

Pay to the order of *Amgen Inc.*

Amgen Inc. P.O. BOX 86529 ST. LOUIS, MO 63188-0529

PRES	RDG	PREV	RDG	USE	READING	RATE	AMOUNT
79848	87382	12456	ACTUAL	GEN 43		1010.33	
ST. LOUIS CTY TAX						112.26	
SALES TAXES						76.95	
AMOUNT DUE ON 08/14						1199.54	

89B-38531 O
AUTO 8-DIGIT

FIRST CLASS MAIL
U.S. POSTAGE
PAID 1 OUNCE
ST. LOUIS, MO
PERMIT NO. 3808

3450 N BROADWAY STE 100
ST. LOUIS, MO 63101
ST. LOUIS, MO 63101
ST. LOUIS, MO 63101
ST. LOUIS, MO 63101

1199.54



Please Return This Portion With Your Payment

P & B REAL ESTATE LLC
5933 JACKSON
SAINT LOUIS, MO 63134

\$16,266.67	August 20, 2001
\$16,510.67	57300-01916

Amount
Enclosed \$

AmerenUE
P. O. Box 66301
St. Louis, MO 63166-6301

70600000 0057300019106 000007941100 000016266670

Keep This Portion For Your Records

57300-01916

August 8, 2001

8350 N BROADWAY
SAINT LOUIS, MO 63147

August 20, 2001 \$16,266.67
\$16,510.67

Late Charge billed \$123.04

METERED ELECTRIC SERVICE BILLING

Total KWH	70593313	07/01-07/31	30	22186.0000	22831.0000	645.0000	160.0000	103200.0000
Peak KW	70593313	07/01-07/31	30	0.0000	1.1730	1.1730	160.0000	187.6800

SUMMARY

Total KWH	103200.0000	Peak KW	187.7000	187.7000
Billing KW				

METERED ELECTRIC SERVICE BILLING

Rate 3M LGS - General Service

Service From 07/01 To 07/31

Demand Charge	187.70 KW	@	\$3.79000000	\$711.38
Energy Charge/ Hours Used	28,155.00 KWH	@	\$0.07840000	\$2,207.35
Energy Charge/ Hours Used	37,540.00 KWH	@	\$0.05910000	\$2,218.61
Energy Charge/ Hours Used	37,505.00 KWH	@	\$0.03960000	\$1,485.20
Customer Charge				\$68.00
Total Service Amount				\$6,688.54
Missouri State Tax				\$509.40
Municipal Charge				\$743.16
Total Tax Related Charges				\$1,252.56

Current Amount Due	\$7,941.10
Prior Amount Due	\$8,325.50
Total Amount Due	\$16,266.60

ORIGINAL BILL SENT TO STERLINGS
MARKET ON 8-13-01. NOT OUR BILL
Sending Another Note VIA FAX TO
MRS BRYANT AmerenUE 8-16-01

Buy



15


NAME _____

ACCOUNT NO. _____

CHARGE BACK

PAY TO THE ORDER OF Ameren AUG 08 2001

Eight Thousand, Two Hundred, Two

 **GATEWAY NATIONAL BANK**
3412 North Union Boulevard, St. Louis, Missouri 63115

FOR 57300-01916

Ret. By 4-144

☐ Insf. ☐ Uncol. Fds. 14730

☐ End. ☐ Other _____

DATE Aug 2, 01 4-144/810

\$ 820253

53 DOLLARS

⑈014730⑈ ⑈081001442⑈ 152493⑈ ⑈0000820253⑈

P & B Real Estate

15

NAME _____

ACCOUNT NO. _____

CHARGE BACK

PAY TO THE ORDER OF Ames AUG 08 2001

DATE Aug 2, 01

Ret. By 4-144


☐ Insf. ☐ Uncol. Fds. 14730

☐ End. ☐ Other

\$ 8,202.50

Eight Thousand, Two Hundred, Two

53 DOLLARS

 **GATEWAY NATIONAL BANK**
3112 North Union Boulevard, St. Louis, Missouri 63115

FOR 57300-01916

⑆014730⑆ ⑆081001442⑆ 152493⑆

⑆00008202⑆

P & B Real Estate

HAAR & WOODS, LLP
ATTORNEYS AT LAW

1010 Market Street
Suite 1620
St. Louis, MO 63101
314.241.2224
Fax 314.241.2227
E-Mail lawyers@haar-woods.com

September 27, 2001

VIA FACSIMILE AND FIRST CLASS MAIL

Freeman R. Bosley, Jr.
Caldwell & Singleton LLC
1601 Olive, 1st Floor
St. Louis, MO 63103-2344

Re: Ameren/Moody

Dear Freeman:

Ameren UE remains interested in some noneconomic resolution of Mr. Moody's complaint. As I stated during our meeting, we believe Ameren UE has shown Mr. Moody extraordinary consideration with respect to past delinquencies and in working with him when checks have been returned for insufficient funds. And even though it is appropriately a landlord-tenant issue, Ameren UE stands ready to assist Mr. Moody and Mr. Schonlau in determining the electrical service associated with each meter. To facilitate that process, I am enclosing a consent form for your client's convenience.

Sincerely,



Robert T. Haar

RTH:rh
Enclosure

CONSENT TO ENTRY AND MODIFICATION OF WIRING

Sterling Moody, as owner and operator of Sterling's Market Place, and Bert Schonlau, as owner of P&B Real Estate, L.L.C., which owns the premises known as Broadway Plaza located at or about 8350 N. Broadway, St. Louis Missouri, hereby consent to the entry on those premises by agents and employees of Ameren UE for the purpose of inspecting the wiring associated with the electrical meters at that location and making alterations to that wiring as directed by Sterling Moody.

Sterling Moody
Sterling's Market Place

Bert Schonlau
P&B Real Estate, L.L.C.

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

STERLING MOODY, STERLING'S MARKET
PLACE AND STERLING'S PLACE, I,

Complainants,

v.

AMERENUE, UNION ELECTRIC CO. d/b/a
AMERENUE, and MIKE FOY, LEROY ETTLING,
and SHERRY MOSCHNER, as employees of
AmerenUE,

Respondents.

Case No. EC-2002-112

RESPONDENT AMERENUE'S PROPOSED PROCEDURAL SCHEDULE

Comes now respondent, AmerenUE, and submits the following Proposed
Procedural Schedule:

1. Simultaneously herewith, respondent AmerenUE has filed its Motion for Expedited Hearing, stating, in detail, the need for an expedited proceeding in this matter.

2. Pursuant to said Motion, respondent AmerenUE proposes that the following procedural schedule be established:

December 7, 2001	Complainants file direct testimony
December 31, 2001	Rebuttal (all parties wishing to file, except complainants)
January 10, 2002	Surrebuttal (all parties wishing to file)
January 21, 2002	Final List of Issues, Witness List and Order of Cross-examination to be filed
January 31, 2002	Positions statements (all parties) to be filed
February 13, 2002	Hearing

WHEREFORE, respondent, AmerenUE, respectfully requests that the Commission issue its Order adopting the Proposed Procedural Schedule set forth herein and for such other and further relief the Commission deems just and proper.

HERZOG, CREBS & McGHEE, LLP

By:


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James D. Maschhoff MBE #41821
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St. Louis, Missouri 63101
(314) 231-6700 – Telephone
(314) 231-4656 – Facsimile
mav@hcmlp.com - E-Mail

and

James J. Cook MBE #22697
Managing Associate General Counsel
Ameren Services Company
One Ameren Plaza
1901 Chouteau Avenue
P.O. Box 66149 (MC 1310)
St. Louis, Missouri 63166-6149
(314) 554-2237 – Telephone
(314) 554-4014 - Facsimile

Attorneys for Respondents AmerenUE,
Union Electric Co d/b/a AmerenUE,
Mike Foy, Leroy Ettling and Sherry
Moschner