

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

Application of Union Electric Company,)
d/b/a AmerenUE, for a Metering Variance)
to Serve Crestview Senior Living.)

Case No. EE-2006-0524

MOTION FOR LEAVE TO AMEND APPLICATION

COMES NOW Union Electric Company d/b/a AmerenUE (“Company” or “AmerenUE”), and, pursuant to the Commission’s July 19, 2006 Notice of Deficiency, hereby submits this Motion for Leave to Amend Application. In Support thereof, AmerenUE states as follows:

1. On June 27, 2006, AmerenUE filed its Application (the “Application”) in the above-captioned case seeking a variance from 4 CSR 240-20.050 and Section II.K., Non-Standard Service, of the Company’s Schedule 5 – Schedule of Rates for Electric Service.

2. On July 19, 2006, the Commission issued its Notice of Deficiency wherein the Commission ordered the Company to file supplemental pleadings to cure certain deficiencies identified in the Company’s original Application. The First Amended Application for Variance, attached hereto as Exhibit A, corrects each deficiency identified in the Notice of Deficiency.

3. Commission Rule 4 CSR 240-2.080(20) provides that a pleading may be amended at any time with leave of the Commission. The Commission has ordered the Company to file supplemental pleadings correcting the identified deficiencies. The First Amended Petition for Variance corrects those deficiencies and also reflects, in one document, the relevant information, facts, and request for relief sought by the Company in this case. Moreover, nothing in the proposed First Amended Petition for Variance changes the substance of AmerenUE’s original request. Because of the Commission’s order and because the proposed First Amended Petition for Variance injects no new issue into this case, no party will be surprised or prejudiced in any way by the filing of the First Amended Petition for Variance. Under those circumstances, leave

to amend should be freely given. *Cf.* Sup. Ct. Rule 55.33(a), providing that leave to amend shall be freely given when justice so requires.

WHEREFORE, AmerenUE hereby requests the Commission to sustain its Motion for Leave to Amend Application, and that the Commission enter its order deeming the First Amended Application for Variance, attached hereto as Exhibit A, to have been filed in this case, and for such other relief as the Commission deems just and proper under the circumstances.

Dated: July 28, 2006

Respectfully submitted,

SMITH LEWIS, LLP

/s/ James B. Lowery

James B. Lowery, #40503
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918
(573) 443-3141
(573) 442-6686 (fax)
lowery@smithlewis.com

Thomas M. Byrne, Mo. Bar No. 33340
Managing Associate General Counsel
Ameren Services Company
1901 Chouteau Avenue (MC 1310)
St. Louis, MO 63103
P.O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149
(314) 554-2514
(314) 554-4014 (fax)
tbyrne@ameren.com

Attorneys for AmerenUE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing AmerenUE's Application for Intervention was served via electronic mail (e-mail) or via regular mail on this 28th day of July, 2006, on:

Office of the General Counsel
Missouri Public Service Commission
Governor Office Building
PO Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov

Office of the Public Counsel
Governor Office Building
200 Madison Street, Suite 650
Jefferson City, MO 65102
opcservice@ded.mo.gov

/s/ James B. Lowery
James B. Lowery