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IN ASSOCIATION WITH BRYAN CAVE,  
A MULTINATIONAL PARTNERSHIP.  
LONDON, ENGLAND

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February 6, 2001

### Via Federal Express

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

**FILED<sup>2</sup>**  
FEB 07 2001  
Missouri Public  
Service Commission


RE: Union Electric Company, EM-96-149

Dear Judge Roberts:

Enclosed for filing in the above-referenced case are an original and fourteen (14) copies each of the Missouri Industrial Energy Consumers' (1) Motion for Leave to File Comments Out of Time; and (2) Comments of the Missouri Industrial Energy Consumers. Also enclosed are additional copies to be file-stamped and returned to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance in bringing these filings to the attention of the Commission. Please call me if you have any questions.

Very truly yours,



Diana M. Vuylsteke

DMV:dv  
Enclosures  
cc: All parties

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

FEB 07 2001

Missouri Public  
Service Commission

In the Matter of the Application of Union )  
Electric Company for an Order Authorizing: )  
(1) Certain Merger Transactions Involving )  
Union Electric Company; (2) The Transfer )  
of Certain Assets, Real Estate, Leased )  
Property, Easements and Contractual )  
Agreements to Central Illinois Public Service )  
Company; and (3) In Connection Therewith, )  
Certain Other Related Transactions. )

Case No. EM-96-149

**MOTION FOR LEAVE TO FILE COMMENTS OUT OF TIME**

Comes now Adam's Mark Hotels, Alcoa Foil Products, Anheuser-Busch, The Boeing Company, Ford Motor Company, General Motors Corporation, Holnam, Inc., Hussmann Refrigeration, ISP Minerals, Inc., Mallinckrodt Inc., MEMC Electronic Materials, Monsanto Company, Precoat Metals, Procter & Gamble Manufacturing and Ralston Purina (the "Missouri Industrial Energy Consumers") or ("MIEC") and requests that the Commission receive its late-filed comments regarding whether Union Electric Company's Experimental Alternative Regulation Plan ("EARP") should be continued, continued with modifications, or discontinued. In support of this motion, the MIEC states as follows:

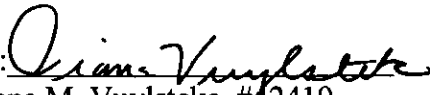
1. On January 31, 2001, the MIEC prepared written comments in this case for filing with the Commission to be delivered by Federal Express, and served those comments on the parties to this case.
2. On February 1, 2001, Federal Express delivered the package containing the MIEC's comments intended for the Commission to the Missouri Supreme Court instead. A copy of the Federal Express delivery receipt for this package is attached to this Motion.

3. Good cause exists for the Commission to accept the MIEC's late-filed comments. Counsel for the MIEC intended in good faith to file the comments on time and addressed them properly, but they were accidentally delivered to the wrong address. No party will be prejudiced by the slight delay in the filing of these comments, particularly because the parties received their service copies on a timely basis.

WHEREFORE, the MIEC respectfully requests that the Commission accept its late-filed comments in this case.

Respectfully submitted,

BRYAN CAVE, LLP

By:   
Diana M. Vuylsteke, #2419  
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St. Louis, Missouri 63102  
Telephone: (314) 259-2543  
Facsimile: (314) 259-2020

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed to all counsel of record on the Commission's service list this 6<sup>th</sup> day of February, 2001.





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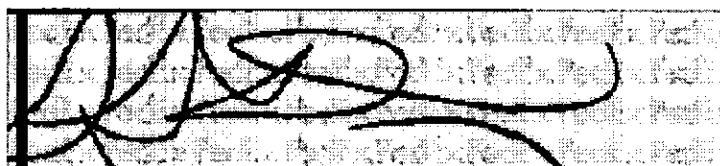
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