

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

In the Matter of the Request of Union	)	
Electric Company, d/b/a Ameren Missouri,	)	
For an Order Granting a Variance from	)	File No. EE-2018-_____
4 CSR 240-13.020(7) Regarding Payment	)	
Posting Requirements.	)	

**NOTICE OF CASE FILING AND  
REQUEST FOR WAIVER OF 60-DAY REQUIREMENT**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its *Notice of Case Filing and Request for Waiver of 60-Day Requirement* (“*Notice and Request for Waiver*”), states as follows:

**NOTICE OF CASE FILING**

1. Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), pursuant to 4 CSR 240-2.060, will file a *Request for Variance* from 4 CSR 240-13.020(7) with the Missouri Public Service Commission (“Commission”), which will allow the Company to post certain payments to customer accounts within 24 hours of receipt rather than within the same calendar day.

2. On December 18, 2017, in File No. EC-2018-0113 (the “Complaint”), the Commission Staff (“Staff”) submitted its *Report* noting, in part, that “all Missouri payments are not posted on the date they are received as required by Commission rule.”<sup>1</sup> The Rule to which Staff referred, 4 CSR 240-13.020(7), does not refer to “posting” specifically, but a portion of the Rule does state:

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<sup>1</sup> Staff *Report*, p. 3.

The date of payment for remittance by mail is the date on which the utility receives the remittance.

Staff recommended that the Company:

Comply with the provisions of 4 CSR 240-13.020(7) and require its vendor to post all mailed payments to customer accounts the day they are received or evaluate the filing of variance to the Commission rule.<sup>2</sup>

The Commission issued its *Order Granting Time to Respond to Staff Report* on January 8, 2018, requiring Ameren Missouri to submit its response by March 5, 2018.

3. As a result of Staff's recommendation, Ameren Missouri began an examination of its and its vendor's payment processing activities. Based on this examination, the Company requests a variance to adjust the timing allowed for the posting of payments to customer accounts. Ultimately, Ameren Missouri determined that the best course of action was to request a variance from 4 CSR 240-13.020(7). Support for this position is contained in the Company's *Request for Variance*, submitted the same day as this *Notice and Request for Waiver* and its *Response to Staff Report* in the Complaint proceeding.

4. Ameren Missouri has had no communication with the Office of the Commission (as defined by 4 CSR 240-4.015(10)) regarding its *Request for Variance* filing within the last 150 days,<sup>3</sup> as demonstrated by Exhibit A attached hereto.

### **REQUEST FOR WAIVER OF 60-DAY REQUIREMENT**

5. Ameren Missouri will be submitting a *Request for Variance* for approval of its request allowing the Company to post customer payments within 24 hours of receipt, rather than the same day received. Because of the timing of its *Request for Variance*, Ameren Missouri seeks

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<sup>2</sup> *Id.*, p. 5.

<sup>3</sup> Ameren Missouri is verifying the lack of communications for a 150-day time period rather than a 60-day period because of its *Request for Variance*, contained in the following paragraphs.

a waiver of 4 CSR 240-4.017 to accept notice of a case filing made in a shorter time period than the 60-day requirement.

6. Under 4 CSR 240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. Good cause includes providing a verified statement that no communications have occurred with the office of the commission within the preceding 150 days regarding a substantive issue likely to be in the case, or that circumstances prevented filing the required notice and that requiring the notice would cause harm.<sup>4</sup>

7. As indicated in the verification attached as Exhibit A, Ameren Missouri has had no communications with the office of the Commission regarding any substantive issue likely to be in this case during the preceding 150 days. Moreover, Ameren Missouri's Request for Variance is being submitted as a result of Staff's *Report* submitted in the Complaint, which is an existing contested case with public records available. Further, the Company's examination of the appropriate action to take regarding the issue US mail payment handling required time and inquiry before it determined that the *Request for Variance* was advisable. Ameren Missouri requests a waiver of the 60-day notice requirement for the *Request for Variance* so that it may cite to that *Request for Variance* and show in its Complaint response that it has been working to address the concerns raised in Staff's *Report*, including the timing of US mail payment processing.

8. For these reasons, Ameren Missouri has established good cause for a waiver from the 60-day requirement of 4 CSR 240-4.017(1).

WHEREFORE, Ameren Missouri respectfully submits its *Notice of Case Filing and Request for Waiver of 60-Day Requirement*, and requests 1) that its Notice of Case Filing be

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<sup>4</sup> Pursuant to the Commission's *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, this list is not exclusive, and the Commission may find that good cause has been established by other circumstances.

accepted and 2) that the 60-day requirement for this notice be waived given these particular circumstances.

Respectfully submitted,

/s/ Paula N. Johnson

**Paula N. Johnson**, # 68963

Senior Corporate Counsel

**Wendy K. Tatro**, #60261

Director & Assistant General Counsel

Ameren Services Company

P.O. Box 66149, MC 1310

St. Louis, MO 63166-6149

(314) 554-3533 (phone)

(314) 554-4014 (fax)

[AmerenMOService@ameren.com](mailto:AmerenMOService@ameren.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Request was served on the parties of record in this case via electronic mail (e-mail) on this 5<sup>th</sup> day of March, 2018.

/s/ Paula N. Johnson  
Paula N. Johnson

EXHIBIT A

BEFORE THE PUBLIC SERVICE COMMISSION  
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4 CSR 240-13.020(7) Regarding Payment )  
Posting Requirements. )

AFFIDAVIT OF AUBREY M. KRCMAR


STATE OF MISSOURI )  
 ) ss  
CITY OF ST. LOUIS )

Aubrey M. Krcmar, being first duly sworn on his oath, states:

1. My name is Aubrey M. Krcmar. I work in Jefferson City, Missouri, and I am employed by Union Electric Company d/b/a Ameren Missouri as a Regulatory Liaison. My duties include, but are not limited to, managing formal customer complaints that go before the Commission for decision.

2. Neither Union Electric Company d/b/a Ameren Missouri nor any person on its behalf has had any communications with the office of the Commission regarding any substantive issue likely to be an issue in the case initiated by this filing during the preceding 150 days.

3. I hereby swear and affirm that the information contained is true and correct.

  
Aubrey M. Krcmar

Subscribed and sworn to before me this 5 day of March, 2018.



MICHELLE CONNER  
My Commission Expires  
August 20, 2019  
Callaway County  
Commission #15637561

  
Notary Public

My commission expires: 8-20-19