

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

In the Matter of the Application of Aquila, Inc.,)
d/b/a KCP&L Greater Missouri Operations) Case No. ER-2009-0090
Company, for Approval to Make Certain)
Changes in its Charges for Electric Service.)

**UNION ELECTRIC COMPANY’S NOTICE
OF WAIVER OF OPENING STATEMENT
AND REQUEST TO BE EXCUSED**

COMES NOW James B. Lowery of Smith Lewis, LLP, attorneys for Union Electric Company, d/b/a AmerenUE (“AmerenUE”) in this matter, and hereby gives notice of his waiver of opening statement in the above-captioned case, and requests that he be excused from attending those portions of the evidentiary hearings in this case that he elects not to attend. Not requiring the attendance of intervening parties at all of the evidentiary hearings in a rate case is common practice, as was noted by Judge Stearley at the commencement of the evidentiary hearings in Case No. ER-2009-0089. The undersigned counsel hereby acknowledges that he is waiving, on behalf of his client, the right to cross-examine witnesses who appear at times when he is not present for the evidentiary hearings.

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

Attorneys for AmerenUE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served via electronic mail (e-mail) or via regular mail on this 7th day of April, 2009 on counsel for all parties of record in the above-captioned case.

/s/ James B. Lowery
James B. Lowery