

Staff of the Missouri Public Service Commission,

Complainant,

v.

**Missouri Pipeline Company, LLC,
Missouri Gas Company, LLC, et al.,
Respondents.**

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) **Case No. GC-2006-0491**

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COMES NOW Intervenor Union Electric Company d/b/a AmerenUE and, for its Supplemental Statement of Positions on the Issues, states as follows:

Issue 1: Did MPC and MGC violate the terms of their tariffs and Commission affiliate transactions rules (4 CSR 240-40.016) by permitting Omega Pipeline Company to use confidential customer information in a discriminatory manner for each of Omega’s contracts with customers served by MPC and MGC.

AmerenUE's Position: AmerenUE does not take a position as to Issue No. 1, except to state that if MPC and MGC violated the terms of their tariffs and the affiliate transaction rules, such violations would have an adverse impact on AmerenUE. If the Commission determines such violations occurred, it is AmerenUE's position that it is entitled to a portion of refunds from MPC/MGC for such violations.

Issue 2: Did MGC and MPC violate their tariffs by transporting natural gas to Omega customers **_____** without an executed transportation agreement.

AmerenUE's Position: AmerenUE does not take a position as to Issue No. 2.

Issue 3: Did MPC and MGC provide transportation service to its affiliate, Omega, at a discounted rate and if so, should this rate become the maximum rate that MPC and MGC could charge for any of its non-affiliated customers for similar services.

(a) If the above issues are answered in the affirmative, should MPC and MGC issue refunds for overcharges.

(b) If the above issues are answered in the affirmative, should MPC's and MGC's current charges be reduced so that the rates charged to non-affiliated shippers for transportation are the same as the rates charged to Omega.

AmerenUE's Position: It is AmerenUE's position that if MPC/MGC provided transportation service to Omega at a discounted rate, the discounted rate is the maximum rate MPC and MGC can charge AmerenUE for transportation services.

(a) In response to subissue (a), it is AmerenUE's position that all overcharges should be refunded to the customers who were overcharged.

(b) In response to subissue (b), it is AmerenUE's position that, according to MPC and MGC tariffs, the lowest rate charged to an affiliate is the maximum rate that can be charged to a non-affiliate.

Issue 4: Did MPC and MGC violate their tariffs by failing to report their offer of discounted transportation service to its affiliate, Omega, in its second quarter and third quarter 2003 reports to the Commission's Energy Staff.

AmerenUE's Position: AmerenUE does not take a position as to Issue No. 4 except to the extent that failure to report an offer of discounted transportation services would have an adverse impact on AmerenUE.

Issue 5: Did MGC construct a lateral line for **_____** to benefit its affiliate, Omega, without demanding reimbursement from either Omega or **_____** in violation of its tariff or its certificate.

AmerenUE's Position: AmerenUE does not take a position on Issue No. 5 except to state that if such conduct occurred, there would have been an adverse impact on AmerenUE, and AmerenUE is entitled to reimbursement.

Issue 6: Did MPC and MGC violate their respective tariffs by providing preferential terms of payment to their affiliate, Omega.

AmerenUE's Position: AmerenUE does not take a position as to Issue No. 6 except to state that to the extent any preferential terms existed, such preferential terms would have had an adverse impact on AmerenUE, and AmerenUE is entitled to reimbursement.

Order of Witnesses and Order of Cross Examination.

AmerenUE does not object to Staff's Order of Witnesses and Order of Cross Examination, but states that AmerenUE's witness James Massmann has a conflict on Friday, December 15, and is not available to testify. AmerenUE therefore requests that Mr. Massmann be permitted to testify on Wednesday, December 13, or Thursday, December 14.

Respectfully submitted,

SMITH LEWIS, LLP

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing AmerenUE's Supplemental Statement of Positions was served to all persons on the official service list in Case No. GC-2006-0491 via electronic filing and electronic mail (e-mail) or via regular mail on this 5th day of December, 2006.

/s/ Colly J. Durley
Colly J. Durley

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