

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

In the Matter of Union Electric Company, d/b/a )  
AmerenUE's Tariff to Increase Its Annual )  
Revenues for Electric Service. )

**Case No. ER-2011-0028**  
Tariff No. YE-2011-0116

**STAFF'S MOTION TO STRIKE OR DISALLOW PORTIONS  
OF THE PREPARED SURREBUTTAL TESTIMONY OF  
MICHAEL WALTER AND MOTION FOR EXPEDITED TREATMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and hereby joins in the *Motion to Strike, or Otherwise Disallow, Portions of the Prepared Surrebuttal Testimony of Michael Walter* filed this day in the above-styled docket by Ameren Missouri, and in support thereof states as follows:

1. The testimony and schedules in question are improper surrebuttal under the Commission's rules of practice as explained by Ameren Missouri in its Motion.
2. The belated revelation of testimony and schedules that should have been part of the Unions' case-in-chief denies the other parties herein any meaningful opportunity to rebut or effectively oppose the same and is thus fundamentally unfair and a violation of the rights of the parties under the Due Process clause of the Constitution of Missouri and of the 14<sup>th</sup> Amendment to the Constitution of the United States.

**WHEREFORE**, Staff prays that the Commission will take up this matter on an expedited basis and will strike or otherwise disallow those portions of the prepared surrebuttal testimony and schedules of Michael Walter as are identified by Ameren Missouri in its *Motion to Strike, or Otherwise Disallow, Portions of the Prepared Surrebuttal Testimony of Michael Walter* filed this day; and grant such other and further relief as may be just in the premises.

Respectfully submitted,

s/ Kevin A. Thompson  
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Service Commission.

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **5<sup>th</sup> day of May, 2011**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson