

**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 FOR CLARIFICATION
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its Motion for Clarification, states as follows:

1. On April 18, 2011, Staff moved to quash a Notice of Deposition issued by Ameren Missouri on that day for Lena Mantle for Monday, April 25, 2011.

2. After receiving a response from Ameren Missouri, the Commission denied Staff's motion on April 21, 2011.

3. Staff seeks clarification for this reason: Depositions may be taken in actions pending before the Commission on the same basis, and used for the same purposes, as in civil actions in the circuit courts. Section 536.073.1, RSMo; § 386.420.2, RSMo; Commission Rule 4 CSR 240-2.090(1). Pursuant to Supreme Court Rules 57.03(a) and 57.09, a subpoena is required to compel the attendance at a deposition of a witness, while the attendance of a party is compelled by the Notice of Deposition itself.

4. Lena Mantle is a witness in this matter, not a party. She has not been served with a subpoena for a deposition on April 25, 2011. Her attendance is not compelled by the Notice issued by Ameren Missouri. Is it the Commission's intention that Staff produce her for deposition despite Ameren Missouri's failure to serve a subpoena upon her? If so, Staff will comply.

5. Staff requests that the Commission take up and determine this motion on an expedited basis in order to provide a ruling for the guidance of the parties prior to April 25, 2011.

WHEREFORE, Staff prays that the Commission will take up this matter on an expedited basis and will clarify its Order of April 21, 2011, as requested herein; and grant such other and further relief as may be just in the premises.

Respectfully submitted,

s/ Kevin A. Thompson
KEVIN A. THOMPSON
Missouri Bar Number 36288
Chief Staff Counsel

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-6514 (Voice)
573-526-6969 (Fax)
kevin.thompson@psc.mo.gov

Attorney for the Staff of the Missouri Public
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 **21st day of April, 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