

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

FILED²
AUG 08 2002

Application of Union Electric Company)
for Permission and Authority to Construct,)
Operate, Own and Maintain a 345 kilovolt)
Transmission Line in Maries, Osage and)
Pulaski Counties, Missouri)
("Callaway-Franks Line"))

Case No. EO-2002-351

Missouri Public
Service Commission

MOTION TO DISMISS APPLICATION

COMES NOW Concerned Citizens of Family Farms and Heritage, Douglas McDaniel, Chairperson, and Mary Claire Kramer, Intervenors, by and through counsel, and for their Motion to Dismiss the Application filed by Union Electric Company, d/b/a Ameren UE to construct, operate and maintain transmission lines respectfully state as follows:

1. On January 18, 2002, Ameren UE filed its Application in the above-captioned matter.
2. The Application filed by Ameren UE did not include the plans and specifications for the complete construction project.
3. The Application did not contain a statement of the reasons the plans and specifications for the complete construction project were unavailable at the date when they would be furnished.
4. The Application did not contain a list of all electric and telephone lines of regulated and nonregulated utilities, railroad tracks or any underground facility which the proposed construction will cross.
5. 4 CSR 240-2.060 governs all applications filed before this Commission and states in part:

(4) In addition to the requirements of section (1), applications for a certificate of convenience and necessity by a gas, electric, water, sewer or heating company shall include the following information:

(B) If the application is for electrical transmission lines, gas transmission lines or electrical production facilities—

1. A description of the route of construction and a list of all electric and telephone lines of regulated and nonregulated utilities, railroad tracks or any underground facility, as defined in section 319.015, RSMo, which the proposed construction will cross;

2. The plans and specifications for the complete construction project and estimated cost of the construction project or a statement of the reasons the information is currently unavailable and a date when it will be furnished; and

3. Plans for financing;

6. Ameren UE's Application fails to comply with 4 CSR 240-2.060 as detailed above.

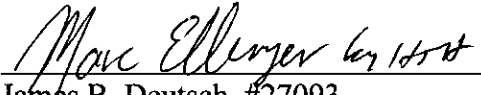
7. The failure of Ameren UE to include to plans and specifications and the listing of other utilities and rail lines is prejudicial to the Intervenor by not allowing Intervenor the opportunity to present their case before this Commission. Specifically, Ameren UE's failure has prohibited Intervenor from identifying the parcels to be affected by Ameren UE and the manner in which such parcels are affected. Additionally, Intervenor cannot retain experts to review and analyze Ameren UE's plans since they have not been submitted at all, much less properly. Thus, Intervenor are prejudiced by Ameren UE's failures and the Application should be dismissed.

WHEREFORE, this Commission should dismiss the Application of Ameren UE for failure to comply with the requirements of 4 CSR 240-2.060.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the above and foregoing document were sent U.S. Mail, postage prepaid, to the following parties of record on this 8th day of August, 2002:

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