

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

In the Matter of Proposed Rulemaking to	)	
Amend the Reporting Requirements for	)	Case No. EX-2010-0122
Electric Utilities and Rural Electric	)	
Cooperatives.	)	

**COMMENTS OF UNION ELECTRIC COMPANY d/b/a AMERENUE**

COMES NOW Union Electric Company d/b/a AmerenUE (AmerenUE or Company), and for its Comments on the Missouri Public Service Commission's (Commission) proposed amendments to Rule 4 CSR 240-3.190, states as follows:

**Background**

1. A Notice of Proposed Rulemaking published in the *Missouri Register* as noted above required that comments be filed respecting the proposed rule on or before March 5, 2010. These Comments are filed in response to that Notice.

2. AmerenUE is generally supportive of this rule and believes it is beneficial for the Commission to be informed about serious incidents of contact with power supplied by electric utilities in Missouri.

3. The proposed changes to 4 CSR 240-3.190(3)(A) contain an additional requirement of a "detailed investigative report." Prior to this addition, the utility had to provide details of any accident at a power plant involving serious physical injury, death or property damage. The formality of this additional requirement would not necessarily result in additional information, but would require AmerenUE personnel to spend time creating a "detailed investigative report" when their time would likely be otherwise be better spent on developing and implementing corrective action for the incident which occurred. AmerenUE understands

that the Commission may want utilities to provide an update 90 days after an incident, but that update should not be a detailed, written investigative report. Modifying this language to remove the “detailed investigative report” requirement would allay AmerenUE’s concern.

3. The proposed changes to 4 CSR 240-3.190(4) contain the requirements of when an electric utility must notify the Commission of certain accidents or events. The language of this section should not be so broad so as to require notification unless the utility is aware of the contact. There is limiting language in (B), but not in (A). The knowledge “provided the utility or rural electric cooperative first has received proper notice or has actual knowledge of the accident or event” could be moved from (B) to (4), so that it would read, “Every electric utility and rural electric cooperative which has received proper notice or has actual knowledge of a reportable accident or event as described below, shall notify designated commission personnel...”

4. (4)(B) contains language that expands the reporting requirement to incidents which originate on the customer’s side of the meter. This requirement will result in the Commission receiving reports of contact over which the utility has no control or responsibility. Additionally, the language in this section is so broad that it may require AmerenUE to report incidents which occur on another utility’s system, merely because we have a facility within the area. For all of these incidents, which do not occur on AmerenUE’s system but yet the Company may be required to report, AmerenUE is concerned that it will be difficult to get information required by other portions of this rule or that its attempts to gather such information could be misconstrued as potential fault for the event. AmerenUE suggests removing in its entirety (4)(B). (4)(C) is a general notification requirement and would not result in additional reports to those already required to be reported under (4)(B).

5. AmerenUE suggests the Commission change the language in (5) to allow the written report to be filed within 90 days of the discovery of an incident or event. In many instances, the Company does not have a lot of additional information within five days. The Company would continue to provide information to Staff on an informal basis, but believes it makes more sense to file a written report after it has enough time to complete an investigation. Additionally, if the incident is on the customer's side of the meter, AmerenUE is unlikely to gain any additional information about the incident, so this requirement should be amended to only require a written follow up if additional information has become available. The Company would not want this requirement to be interpreted in a manner that would require it to investigate any incident in which it was not involved, just so it could provide this written report.

6. AmerenUE urges the Commission to modify its proposed amendments to 4 CSR 240-3.190 as suggested above. The Company appreciates the opportunity to provide these Comments.

Respectfully submitted,

/s/ Wendy K. Tatro  
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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Comments of AmerenUE was served on all parties of record via electronic mail (e-mail) on this 5th day of March, 2010.

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/s/ Wendy K. Tatro

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