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December 14, 2001

FILED[3]
DEC 17 2001
Missouri Public
Service Commission

VIA OVERNIGHT MAIL

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101

Re: Staff Complaint of Union Electric Rates, Case No. EC-2002-1

Dear Mr. Roberts:

On behalf of the Missouri Energy Group, I enclose herewith for filing in the above matter, an original and eight (8) copies of its Motion for Reconsideration and Clarification of the Commission's December 7, 2001 Order. An additional copy of this document is enclosed, which I would appreciate your file stamping and returning in the enclosed, pre-addressed envelope.

Yours very truly,

LLangeneckert

Lisa C. Langeneckert

Enclosures (11)
cc/enc: All parties of record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Staff of the Missouri Public Service Commission	)	
	)	
Complainant,	)	
	)	
v.	)	Case No.: EC-2002-1
	)	
Union Electric Company, d/b/a AmerenUE,	)	
	)	
Respondent.	)	

MISSOURI ENERGY GROUP'S MOTION FOR RECONSIDERATION
AND CLARIFICATION OF COMMISSION'S
ORDER ESTABLISHING TEST YEAR AND PROCEDURAL SCHEDULE

COMES NOW the Missouri Energy Group ("MEG"), and for its Motion for Reconsideration or Clarification states as follows:

1. On December 7, 2001, the Public Service Commission ("Commission") issued its Order establishing adoption of a July 30, 2001 test year and setting a procedural schedule ("Order").

2. On December 11, 2001, the Staff of the Missouri Public Service Commission ("Staff") and the Office of Public Counsel ("Public Counsel") filed motions for reconsideration of said Order.

3. The MEG seeks reconsideration of the portion of the Order that requires intervenors to file rebuttal testimony on December 20, 2001. While the MEG is reluctant to do anything that may postpone the hearing of this case any longer than it already has been, it is impossible for it to meet the testimony filing date of December 20, 2001 set by the Commission in its Order under a July 30, 2001 test year scenario. All of the discovery that MEG has performed and all of its initial rebuttal testimony preparation has

been based upon a June 30, 2000 test year and upon the January 14, 2002 testimony filing date for MEG's testimony agreed to by all the parties in the prehearing conference held on November 8, 2001. The MEG has consistently contended that intervenor testimony should be filed after that of AmerenUE ("Company"), so as to have its testimony based on all of the positions presented in the case by the named parties, not just a portion thereof; and the schedule agreed to by all parties in attendance at the prehearing conference provided for this. Furthermore, the MEG position, as customers of the Company, will be more closely aligned with Staff and Public Counsel and, based on past case history, adverse to the Company--particularly on revenue issues. Therefore, one filing of rebuttal testimony would be more efficient and less costly to all parties and customers. The Commission's eleventh hour alteration of the test year upon which this case is based (and extension thereof to thirteen months) coupled with the acceleration of the MEG's testimony due date by almost a month, is unreasonable. The MEG could not have anticipated that the Commission would stray so far from the schedule agreed to by all the parties, in violation of a long-standing policy of supporting stipulated agreements of the parties. In addition, as the Commission's Order currently stands, the MEG testimony filing date is prior to the Company's testimony filing date, so the MEG would only be filing its rebuttal on Staff's filing (with the old test year of June 30, 2000). MEG would not file its rebuttal to Company's case until February 19, 2002, (the surrebuttal date of all parties) which is also the Company's last testimony filing date. This would preclude the Company from the opportunity to rebut any industrials' testimony until the hearing.

4. We note that Staff has requested an extension of its testimony filing date which, if granted, will require a restructuring of the procedural schedule; and we submit a further prehearing conference may be appropriate.

5. The MEG seeks clarification of the portion of the Order which refers to an "offer" by the Company to make the rates resulting from this case retroactive to April 1, 2002. The MEG agrees with the Staff and Public Counsel in being concerned as to the accuracy of this contention, and agrees with Public Counsel that, if the Company accepts the Commission's assertion that it has agreed to a rate retroactive to April 1, 2002, the Company be required to file a tariff to that effect or otherwise commit in a manner binding on the Company.

WHEREFORE, the MEG respectfully requests that the Commission reconsider its Order requiring the intervenors to file rebuttal testimony on December 20, 2001 and that it set a later due date, allowing sufficient time to review the Staff filing with a July 30, 2001 test year and the Company response thereto. In addition, the MEG respectfully requests that the Commission clarify its Order requiring the Company to file a tariff making any changes in the rates resulting from this case retroactive to April 1, 2002.

Respectfully Submitted,

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Attorneys for Missouri Energy Group

CERTIFICATE OF SERVICE

Pursuant to 4 CSR 240-2.080 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day caused a copy of the foregoing to be served on all persons on the official service list in Docket No. EC-2002-1

Dated at St. Louis, Missouri this 14th day of December, 2001:

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