

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

Eva Owen,)	
Complainant,)	
)	
vs.)	Case No. EC-2007-0197
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
Respondent.)	

ANSWER

COMES NOW Union Electric Company d/b/a AmerenUE (“AmerenUE” or “Company”), and for its Answer to the Complaint filed in this proceeding, states as follows:

1. On November 27, 2006, Eva Owen of 2711 Twin Valley Road, Troy, Missouri 63379 (“Complainant”) initiated this proceeding by filing a Complaint against AmerenUE.

2. In paragraph 1 of the Complaint, Complainant alleges that AmerenUE is located in St. Louis, Missouri, and that AmerenUE is a public utility under the jurisdiction and supervision of the Public Service Commission of the State of Missouri (“Commission”). AmerenUE admits the allegations contained in paragraph 1 of the Complaint.

3. In paragraph 2 of the Complaint, Complainant describes difficulties she experienced when attempting to hook up a mobile home for electric service by AmerenUE. Most of the details set forth in this paragraph do not involve AmerenUE and the Company cannot admit or deny those portions of the allegations as it as no information.

4. AmerenUE admits that it had several conversations with Complainant. The first face-to-face conversation occurred on November 18, 2005. Complainant said she intended to put a mobile home on her property and wanted to set up electric service to it. Since mobile homes can be moved, meters for mobile homes are not attached to the home but rather are set on a pedestal next to the home. Complainant was given a copy of the relevant portion of the AmerenUE Service Manual which details the meter installation requirements for a mobile home. Complainant was specifically told that AmerenUE would not accept a wood post. On January 9, 2006, AmerenUE inspected the meter base that had been installed by Complainant and found it insufficient. The installation was a wood pole rather than a meter pedestal labeled by UL and approved by AmerenUE (see note b on page D34 of the AmerenUE Service Manual, attached to Complaint) and the expansion coupling was installed upside down.

5. In paragraph 3 of the Complaint, Complainant alleges that she could not find a metal pedestal, that she did not receive help from Commission Staff and that other individuals told her a wood posts would be fine. AmerenUE has no knowledge of what difficulties Complainant may have experienced in her attempts to locate a metal pedestal and so cannot admit or deny this allegation, although the Company would note that Complainant admits that Butler Supply had an acceptable pedestal in stock, but that she failed to obtain one during their hours of operation. AmerenUE also has no knowledge of any conversations between Complainant and non-AmerenUE personnel.

6. The requirement that mobile home meters be mounted on a UL labeled pedestal has been in effect for several years. Page D34 of the AmerenUE Service Manual shows a date of February 3, 1999 and it was likely in effect for several years prior to that

publication date. To be clear, this requirement is not for a metal pedestal, but rather a UL labeled pedestal.

7. Once it was determined on January 9, 2005, that Complainant had installed a pedestal that was not UL labeled, AmerenUE presented two alternatives to resolve the situation. Complainant could either replace the pedestal with an UL labeled pedestal or she could provide and install the service cable as per the requirements of AmerenUE's Electric Service Manual Diagram D-2. Complainant chose the second option. AmerenUE began providing electric service at the mobile home on January 13, 2006.

8. AmerenUE's policy of requiring UL labeled pedestals is necessary for safety and reliability reasons. Over time, wooden poles tend to lean or rot out, which can result in the meter reading the usage improperly or potentially an interruption of service.

9. Complainant requests the Commission award her \$580.00 for the time and effort she expended to correct the improper pedestal installation. AmerenUE does not believe the situation before the Commission warrants such an award nor does it believe the Commission has the authority to make such an award. The money in question does not stem from a payment by Complainant to AmerenUE and so it cannot be an overcharge by the Company. Given that the money in question was not paid to AmerenUE by the Complainant, the Commission does not have the authority to issue a monetary award. The Commission's authority is not plenary and it is without authority to award money damages. *State Tax Commission v. Administrative Hearing Commission*, 641 S.W.2d 69, 75 (Mo. 1982) and *American Petroleum Exchange v. Public Service Commission*, 172 S.W.2d 952, 955 (Mo. 1943). By Complainant's own admission,

AmerenUE's requirements for the pedestal were provided to her in writing and in advance of her installation of the wood pedestal. The fact the Complainant chose to disregard these requirements is not the fault of the Company.

10. Finally, the Commission should also note that Complainant does not allege a violation of any provision of law or rule or order of the Commission, as she is required to do in a Complaint filing. 386.390 RSMo and 4 CSR 240-2.070(3).

11. AmerenUE believes that it has at all times acted properly and requests the Commission issue an order finding this Complaint to be without merit.

WHEREFORE, AmerenUE respectfully requests that the Commission issue its order finding that AmerenUE has acted appropriately and that this Complaint without merit.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a AmerenUE

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following parties via electronic mail (e-mail) or via regular mail on this 20th day of October, 2006.

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