

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

In the Matter of the Application of)	
Union Electric Company d/b/a AmerenUE)	
for an Order Authorizing the Sale and)	Case No. EO-2010-0263
Transfer of Certain Assets of AmerenUE)	
to St. James Municipal Utilities)	
and Rolla Municipal Utilities.)	

ROLLA AND ST. JAMES' STATEMENT OF POSITION

Come now the City of Rolla, Missouri (Rolla), by and through Rolla Municipal Utilities, and the City of St. James (St. James), by and through St. James Municipal Utilities, and, for their Statement of Position concerning the issue identified in the List of Issues, Order of Witnesses, Order of Cross-Examination and Order of Opening Statements and Closing Arguments filed on August 25, 2010, respectfully state as follows to the Missouri Public Service Commission (Commission):

ISSUE/POSITION

Is the proposed transfer of the assets described in the Application filed in this case detrimental to the public interest?

Rolla and St. James Position:

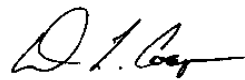
No. The issue to be decided by the Commission is well established. That is, whether AmerenUE's sale is not detrimental to the public interest. *Fee Fee Trunk Sewer*, 596 S.W.2d 466, 468 (Mo.AppE.D. 1980). "Before a utility can sell assets that are necessary or useful in the performance of its duties to the public it must obtain approval of the Commission. § 393.190 RSMo. (1969). *The obvious purpose of this provision is to ensure the continuation of adequate service to the public served by the utility.* The Commission may not withhold its approval of the disposition of assets unless

it can be shown that such disposition is detrimental to the public interest. *State ex rel. City of St. Louis v. Public Service Commission of Missouri*, 335 Mo. 448, 73 S.W.2d 393, 400 (Mo. banc 1934).” *Id.* (emphasis added).

The evidence will show that the proposed sale will not result in any reduced level of service or reliability to any customer of Union Electric Company d/b/a AmerenUE (AmerenUE), nor have an impact on AmerenUE’s rates. The proposed transaction is not detrimental to the public interest.

WHEREFORE, Rolla and St. James pray that the Commission consider this Statement of Position.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on September 1, 2010, to the following:

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