

**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 )  
Transfer of Certain Assets of AmerenUE )  
to St. James Municipal Utilities and )  
Rolla Municipal Utilities. )

**Case No. EO-2010-0263**

**PUBLIC COUNSEL’S RESPONSE TO STIPULATION AND AGREEMENT**

COMES NOW the Office of the Public Counsel and for its Response to Stipulation and Agreement states as follows:

1. On September 7, 2010, at approximately 4:30 P.M., the Staff of the Commission, the cities of Rolla and St. James, and Union Electric Company d/b/a AmerenUE filed a non-unanimous Stipulation and Agreement that would resolve the only extant issue in this case.

2. Although Public Counsel's grave concerns over the Commission's unfair and arbitrary treatment of on-again, off-again Intervenor Donna Hawley have not been resolved by the Commission's cursory rejection of Public Counsel's Motion for Reconsideration, Public Counsel does not disagree with the premise of the non-unanimous Stipulation and Agreement: that the proposed transaction that is the subject of this case is not detrimental to the public interest. Public Counsel will not devote its limited resources to fighting the Commission (and possibly the parties) over a procedural matter that would not affect the ultimate outcome of this case.

3. Public Counsel does not oppose the Stipulation and Agreement and affirmatively waives the seven days allowed for objections under 4 CSR 240-2.115(2)(B).

WHEREFORE, Public Counsel respectfully submits its Response to Stipulation and Agreement.

Respectfully submitted,

OFFICE OF THE Public Counsel

**/s/ Lewis R. Mills, Jr.**

By: \_\_\_\_\_

Lewis R. Mills, Jr. (#35275)  
Public Counsel  
P O Box 2230  
Jefferson City, MO 65102  
(573) 751-1304  
(573) 751-5562 FAX  
[lewis.mills@ded.mo.gov](mailto:lewis.mills@ded.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been emailed to parties of record this 7th day of September 2010.

**/s/ Lewis R. Mills, Jr.**

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