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October, 2001

Via Federal Express

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, Missouri 65101

FILED³

OCT 10 2001

Missouri Public
Service Commission

Re: MPSC Case No. EC-2002-112

Dear Mr. Roberts:

Enclosed you will find an original and nine copies of the following pleadings:

- a. Entry of Appearance, and
- b. Respondents' Response to Notice Regarding Potential Recusal.

Please file the original and eight copies of each of these pleadings with the Commission and return the extra copies file-stamped to me in the enclosed self-addressed stamped envelope.

If anything further is needed to file these pleadings, please let me know.

Yours very truly,

HERZOG, CREBS & MCGHEE, LLP



Michael A. Vitale

MAV/mh
Enclosures

FILED³

OCT 10 2001

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

STERLING MOODY, STERLING'S MARKET
PLACE AND STERLING'S PLACE, I,

Complainants,

v.

AMERENUE, UNION ELECTRIC CO. d/b/a
AMERENUE, and MIKE FOY, LEROY ETTLING,
and SHERRY MOSCHNER, as employees of
AmerenUE,

Respondents.

Missouri Public
Service Commission

Case No. EC-2002-112

**RESPONDENTS' RESPONSE TO
NOTICE REGARDING POTENTIAL RECUSAL**

Come now respondents, and for their Response to Notice Regarding Potential
Recusal state as follows:

1. Respondents are in receipt of the Notice Regarding Potential Recusal concerning Chairman Simmons' contacts with one or more parties hereto.
2. Respondents appreciate Chairman Simmons' candor in advising them that he has had contact with one or more of the parties, as a result of which he may have become aware of some alleged facts relating to this matter.
3. Notwithstanding this contact, however, respondents are confident that Chairman Simmons' ability to remain fair and impartial will not be inhibited. Thus, respondents do not intend to request that Chairman Simmons recuse himself from this matter.

HERZOG, CREBS & McGHEE, LLP

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Union Electric Co d/b/a AmerenUE,
Mike Foy, Leroy Ettling and Sherry
Moschner

Certificate of Service

The undersigned hereby certifies that a copy of Respondents' Response to Notice Regarding Potential Recusal was mailed first class, postage prepaid this 9th day of October 2001 to Office of Public Counsel, P.O. Box 7800, Jefferson City, Missouri 65102, Office of General Counsel, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102 and Freeman Bosley, Jr., 1601 Olive Street, First Floor, St. Louis, Missouri 63103-2344, attorney for complainants.

Michael A. Vitale