

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

In the Matter of the Application of	)	
Union Electric Company for Authority	)	
To Continue the Transfer of	)	Case No. EO-2011-0128
Functional Control of Its Transmission	)	
System to the Midwest Independent	)	
Transmission System Operator, Inc.	)	

**JOINT RESPONSE TO ORDER DIRECTING PARTIES TO FILE A PROPOSED  
PROCEDURAL SCHEDULE OR A STATUS REPORT**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), the Staff of the Commission, the Office of the Public Counsel, Southwest Power Pool, Inc., Midwest Independent Transmission System Operator, Inc., The Empire District Electric Company, and the Missouri Industrial Energy Consumers, who hereby file this Joint Response to the above-titled Order issued by delegation on March 15, 2011. In this regard, the parties state as follows:

1. The undersigned counsel for Ameren Missouri has indicated Ameren Missouri’s intention to convene a meeting with the parties in early April to discuss questions some of the parties have raised that those parties believe are germane to this docket and that may impact the prospects of whether this docket could be resolved via a Stipulation and Agreement.

2. The undersigned counsel for Ameren Missouri indicates that the Company has been delayed in being able to pursue such a meeting primarily because of their inability to address issues relating to this docket inside the Company, and with the other parties, primarily because of the demands associated with competing Commission cases or court cases arising out of Commission proceedings involving Ameren Missouri. These include the pending Ameren Missouri rate case (Case No. ER-2011-0028, in which rebuttal testimony is due on March 25, 2011), appeals of Ameren Missouri’s last two rate cases (Case Nos. ER-2008-0318 and ER-2010-0036), the pending true-up proceeding involving Ameren Missouri’s fuel adjustment clause (Case No. ER-2010-0274), the pending prudence review proceeding

involving Ameren Missouri's fuel adjustment clause (Case No. EO-2010-0255), and the motion filed by the Office of the Public Counsel in the docket for Case No. ER-2010-0036. Moreover, some of the other parties to this docket have also been substantially engaged in other matters, in particular the Kansas City Power & Light Company and KCPL-GMO general rate proceedings, as well as Ameren Missouri's pending rate case and in some of the same cases in which the undersigned counsel for Ameren Missouri are engaged.

3. Ameren Missouri's current permission and authority to participate in the Midwest ISO extends through April 30, 2012, which is more than one year away. While a sufficient amount of time to prepare and file testimony, hold hearings, and to allow the Commission to deliberate will be needed if this docket must be resolved via a contested hearing process, there should be sufficient time for such a process so long as a procedural schedule (if necessary) is filed by June 30, 2011.

4. Consequently, the parties request leave to file a further status report regarding the progress of their discussions by May 16, 2011 and, thereafter, to either file a Stipulation and Agreement that if approved would resolve this docket, or file a procedural schedule, no later than June 30, 2011.

WHEREFORE, the parties hereby submit this Response to the above-entitled Order, and further request leave to make a further filing on or before May 16, 2011, consistent with the above.

Dated: March 21, 2011.

Respectfully submitted,

**SMITH LEWIS, LLP**

By: **/s/ James B. Lowery**

James B. Lowery, #40503  
Suite 200, City Centre Building  
111 South Ninth Street  
P.O. Box 918  
Columbia, MO 65205-0918  
Phone (573) 443-3141  
Facsimile (573) 442-6686  
[lowery@smithlewis.com](mailto:lowery@smithlewis.com)

ATTORNEYS FOR UNION ELECTRIC  
COMPANY d/b/a AMEREN MISSOURI

**Thomas M. Byrne, #33340**

Managing Associate General Counsel  
1901 Chouteau Avenue  
P.O. Box 66149, MC-131  
St. Louis, Missouri 63101-6149  
(314) 554-2514 (Telephone)  
(314) 554-4014 (Facsimile)  
[tbyrne@ameren.com](mailto:tbyrne@ameren.com)

**OFFICE OF THE PUBLIC COUNSEL**

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

Lewis R. Mills, Jr., #35275  
Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
(573) 751-4857  
(573) 751-5562 FAX  
[lewis.mills@ded.mo.gov](mailto:lewis.mills@ded.mo.gov)

**/s/ Dean L. Cooper**

Dean L. Cooper, #36592  
BRYDON, SWEARENGEN & ENGLAND  
P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166 (voice)  
(573) 635-3847 (facsimile)  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)  
ATTORNEYS FOR THE EMPIRE  
DISTRICT ELECTRIC COMPANY

MISSOURI PUBLIC SERVICE  
COMMISSION

By: **/s/ Meghan E. McClowry**  
Meghan E. McClowry, #63070  
Legal Counsel  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-6651 (Telephone)  
(573) 751-9285 (Fax)  
[meghan.mcclowry@psc.mo.gov](mailto:meghan.mcclowry@psc.mo.gov)

**/s/ Lisa A. Gilbreath**  
Karl Zobrist, #28325  
Lisa A. Gilbreath, #62271  
SNR Denton US LLP  
4520 Main Street, Suite 1100  
Kansas City, MO 64111  
(816) 460-2400  
(816) 531-7545 (fax)  
[karl.zobrist@snrdenton.com](mailto:karl.zobrist@snrdenton.com)  
[lisa.gilbreath@snrdenton.com](mailto:lisa.gilbreath@snrdenton.com)

Keith L. Beall  
State Regulatory Attorney  
Midwest Independent Transmission System  
Operator, Inc.  
701 City Center Drive  
Carmel, IN 46032  
(317) 249-5431  
[kbeall@midwestiso.org](mailto:kbeall@midwestiso.org)  
ATTORNEYS FOR MIDWEST  
INDEPENDENT TRANSMISSION  
SYSTEM OPERATOR, INC.

**/s/ David C. Linton**  
David C. Linton, #32198  
David C. Linton, L.L.C.  
424 Summer Top Lane  
Fenton, MO 63026  
(636) 349-9028  
[djlinton@charter.net](mailto:djlinton@charter.net)

Erin E. Cullum, #2004070  
Tessie Kentner, #2007240  
415 N. McKinley, Suite 140  
Little Rock, AR 72205  
(501) 688-2503  
[ecullum@spp.org](mailto:ecullum@spp.org)  
ATTORNEYS FOR  
SOUTHWEST POWER POOL, INC.

**/s/ Diana Vulsteke**  
Diana M. Vuylsteke, #42419  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102  
(314) 259-2543  
(314) 259-2020 (fax)  
[dmvuylsteke@bryancave.com](mailto:dmvuylsteke@bryancave.com)  
ATTORNEY FOR THE MISSOURI  
INDUSTRIAL ENERGY CONSUMERS

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via e-mail on counsel for all parties, on this 21st day of March, 2011.

**/s/James B. Lowery**  
James B. Lowery