

**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.	)	

**SOUTHWEST POWER POOL’S RESPONSE TO  
NON-UNANIMOUS STIPULATION AND AGREEMENT**

COMES NOW Southwest Power Pool, Inc. (“SPP”) and in response to the Non-  
Unanimous Stipulation and Agreement states as follows:

1. On November 17, 2011, the Staff of the Missouri Public Service Commission, Union Electric Company d/b/a Ameren Missouri, the Midwest Independent Transmission System Operator, Inc. and the Missouri Industrial Energy Consumers filed a Non-Unanimous Stipulation and Agreement along with a proposed restatement of the issues. The Office of the Public Counsel, The Empire District Electric Company, the Missouri Joint Municipal Electric Utility Commission and SPP were not parties to the Non-Unanimous Stipulation and Agreement.

2. Commission rule 4 CSR 240-2.115(2)(B) provides that the non-signatory parties “shall have seven (7) days from the filing of a nonunanimous stipulation and agreement to file an objection.” The rule further provides that “[f]ailure to file a timely objection shall constitute a full waiver of that party’s right to a hearing.”

3. SPP has no objection to the terms of the stipulations included in the Non-  
Unanimous Stipulation and Agreement.

4. SPP reserves its right to fully participate and represent its interests in the hearing to the extent that other matters or issues not addressed or included in the Non-Unanimous Stipulation and Agreement are considered by the Commission.

5. SPP appreciates the opportunity to be a party to this docket and offers to provide any information that can help the Commission with its deliberations.

WHEREFORE, SPP respectfully requests that the Commission accept this response to the Non-Unanimous Stipulation and Agreement filed in the above referenced case.

Respectfully Submitted,

**/s/ David C. Linton**

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Attorneys for

Southwest Power Pool, Inc.

#### Certificate of Service

I hereby certify that a true and correct copy of the foregoing was e-mailed on this 23rd day of November, 2011, to the persons on the Commission's service list in this case.

**/s/ David C. Linton**

Attorney for Southwest Power Pool, Inc.