

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 6, 2000**

CASE NO: EO-2001-245

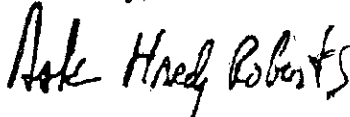
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

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 to Approve the Change of Trustee for)	
its Tax Qualified Nuclear Decommissioning)	<u>Case No. EO-2001-245</u>
Trust Fund and to Approve Related)	
Changes to the Trust Agreement)	

ORDER GRANTING EXPEDITED TREATMENT

On October 13, 2000, Union Electric Company d/b/a AmerenUE (AmerenUE) filed with the Missouri Public Service Commission (Commission) a pleading which included a motion for expedited treatment of its application for approval (1) to change the trustee of its tax qualified nuclear decommissioning trust fund, (2) of related changes to the trust agreement, and (3) of a new investment manager.

The part of AmerenUE's pleading requesting expedited treatment did not comply with Commission Rule 4 CSR 240-2.080(3), which requires each pleading to include a specific reference to the provision under which relief is requested. The pleading also did not fully comply with Commission Rule 4 CSR 240-2.080(17), which lists three requirements before expedited treatment is granted. One of the requirements, viz., a statement that the pleading was filed as soon as it could have been or an explanation why it was not, was not included in AmerenUE's pleading.

On October 19, 2000, the Commission ordered AmerenUE to correct these deficiencies no later than October 24, 2000.

However, part of AmerenUE's pleading requesting expedited treatment did comply with the other two requirements of Commission Rule 4 CSR 240-2.080(17), which are that the words "Motion for Expedited Treatment" be

included in the title of the pleading and that a statement be included explaining the harm avoided or the benefit accruing to AmerenUE's customers or the general public if the Commission acts by the date requested.

Specifically, AmerenUE requested that the Commission issue an order authorizing the changes requested in its pleading by December 15, 2000. AmerenUE alleged that action by this date is required to provide it with sufficient time to execute the changes requested with an effective date of January 1, 2001. If no Commission action is received by December 15, 2000, AmerenUE argued that it will incur additional administrative and financial burdens due to the duplicate record keeping requirements that will have to be maintained throughout year 2001 if an order is later received.

On October 19, 2000, the Commission also ordered the Staff of the Commission (Staff) to respond no later than October 24, 2000, stating in a pleading (1) whether or not it would be able to handle this case in an expedited manner if the Commission so orders and, (2) if so, giving suggested dates for the filing of a Staff report or recommendation. On October 24, 2000, Staff filed its response to the Commission's order directing filing. Staff informed the Commission that it expects to be able to meet its filing requirements for this case in an expedited manner if the Commission so orders. Accordingly, Staff suggested the date of December 1, 2000, for the filing of a Staff report or recommendation.

AmerenUE did not respond by October 24, 2000, to the order directing filing. Thus, the Commission issued a notice of case status on October 27, 2000, stating that as of the date of the notice, AmerenUE had not complied with the Commission's order directing filing issued October 19, 2000, and that the case could not proceed until AmerenUE complied with that order.

On November 3, 2000, AmerenUE filed its supplement to its application which stated that its motion for expedited treatment was filed pursuant to Commission Rule 4 CSR 240-2.080(17) and that the motion for expedited

treatment had been filed as soon as it could have been. This cured the deficiencies set forth in the Commission's order issued on October 19, 2000.

However, AmerenUE's supplemental pleading itself was deficient.

Commission Rule 4 CSR 240-2.010(2) defines a certificate of service as a document or page of a document showing the caption of the case, attorney of record served or the name of the party served, the date and manner of service, and the signature of the serving party or attorney.

Commission Rule 4 CSR 240-2.080(20) states, in part: "Every pleading...shall include a certificate of service."

AmerenUE's supplement to its application did not comply with that part of Commission Rule 4 CSR 240-2.080(20) cited above in that it did not have a certificate of service.

In addition, AmerenUE offered no explanation whatsoever of its reason for not complying with the Commission's order of October 19, 2000, until ten days after the deadline for compliance set by the Commission.

Although the Commission will not order any further remedial pleadings, AmerenUE is urged that in the future, it should more closely comply with the Commission's orders and its rules of practice and procedure.

After consideration of the pleadings and the official case file, the Commission finds that AmerenUE has stated good cause for expedited treatment and will grant it expedited treatment.

IT IS THEREFORE ORDERED:

1. That Union Electric Company d/b/a AmerenUE is granted expedited treatment so that the Missouri Public Service Commission may act on its application for approval (1) to change the trustee of its tax qualified nuclear decommissioning trust fund, (2) of related changes to the trust

agreement, and (3) of a new investment manager, no later than December 15, 2000.

2. That the Staff of the Missouri Public Service Commission shall file its report and recommendation no later than December 1, 2000.

3. That this order shall become effective on November 16, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority Pursuant to
Section 386.240, RSMo 1994.

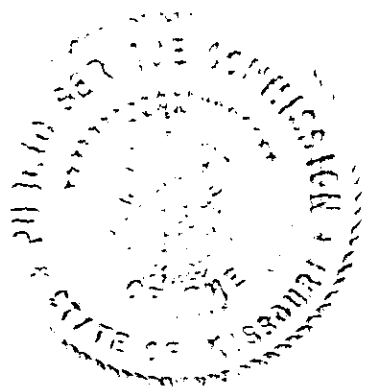
Dated at Jefferson City, Missouri,
on this 6th day of November, 2000.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 6th day of Nov. 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge