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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Tariff Filing of Union)
Electric Company to Modify Interruptible) **Case No. ET-99-96**
Power Rate Schedule (Service Classification) (Tariff File 9900102)
No. 10(M).)

ORDER GRANTING DISMISSAL

On August 6, 1998, Union Electric Company d/b/a AmerenUE (UE) filed two tariff sheets with an effective date of September 7, 1998. The purpose was to modify the curtailment provisions concerning interruptible power and to reinstate the limited availability replacement energy pilot program of the Interruptible Power Rate Schedule (Service Classification No. 10(M)).

On September 4, 1998, River Cement Company (River Cement) and Holnam, Inc. (Holnam) filed their request for suspension of proposed tariff, for leave to intervene, and for a hearing.

On September 8, 1998, the Missouri Public Service Commission (Commission) issued its order denying request for suspension, intervention or hearing.

On September 17, 1998, River Cement and Holnam filed their applications for rehearing which were granted on December 15, 1998.

On January 29, 1999, the Commission issued its order adopting procedural schedule.

On March 5, 1999, the Staff of the Commission filed its motion to suspend the procedural schedule. The Commission canceled the prehearing and suspended the procedural schedule on March 12, 1999.

On March 10, 1999, UE filed a new tariff, designated as Tariff File No. 9600659, consisting of two sheets, to become effective on April 9, 1999. The tariff filing was designed to reinstate the "Curtailment of Service" provisions that were in effect immediately prior to the effective date (September 7, 1998) of the current tariff sheets. The "Limited Availability Replacement Energy Pilot Program" of the Interruptible Power Rate had expired prior to the filing of the tariff sheets on August 6, 1998, and was not reinstated.

On March 30, 1999, all parties filed a stipulation for dismissal. All parties stated that they agree that the filing of the new tariffs in Tariff File Number 9600659 is the simplest and most appropriate method to resolve this case. All parties stated that the Commission may dismiss this case effective April 9, 1999, since the issues were rendered moot by the filing on March 10, 1999, of the tariff described above.

The Commission finds that the stipulation for dismissal complies with 4 CSR 240-2.116.

IT IS THEREFORE ORDERED:

1. That the Commission dismisses this case pursuant to 4 CSR 240-2.116.
2. That this order shall become effective on April 9, 1999.

3. That this case may be closed on April 12, 1999.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale H. Roberts".

Dale H. Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law
Judge, by delegation of authority
Pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 8th day of April, 1999.

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COMMISSIONER
PUBLIC SERVICE COMMISSION