

A:

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 22nd
day of April, 1999.

In the Matter of a Tariff Filing by Union) Case No. ET-99-471
Electric Company d/b/a AmerenUE to Replace) Tariff File No. 9900733
the Economic Development Rider.)

ORDER APPROVING TARIFF

Union Electric Company d/b/a AmerenUE (Company or UE) filed revised tariff sheets on March 26, 1999, which would replace the Company's Economic Development Rider (EDR). The EDR establishes discounted rates under certain circumstances. On April 16, 1999, the Office of the Public Counsel (OPC) moved to suspend the proposed tariff.

In the Motion to Suspend, the OPC stated that the proposed EDR "contains significant modifications" and in particular the OPC objected to a provision "that any eligible customer must remain a full requirements customer for at least five years" to retain the benefit from the discounted rates. The OPC termed this requirement an "exit fee" and alleged that an exit fee would impair the development of a fully fair and competitive marketplace, and thus is unjust and unreasonable.

On April 22, 1999, the Staff of the Commission filed its memorandum recommending approval of the proposed tariff sheets. Staff states that the Commission considered and rejected the arguments made here

by the OPC in another case, ET-97-113,¹ wherein Kansas City Power and Light proposed a similar tariff.

The Commission has considered the revised tariff sheets, the OPC's motion and Staff's memorandum. The Commission finds the proposed tariff revision would be acceptable in a competitive marketplace because the customer would be free to change supplier and repay the discount to UE. The Commission concludes that the proposed revised tariff sheets are just and reasonable and should be approved to take effect on April 27, 1999.

IT IS THEREFORE ORDERED:

1. That the Motion to Suspend Tariff filed herein by the Office of the Public Counsel is denied.

2. That the proposed revised tariff sheets filed by Union Electric Company d/b/a AmerenUE on March 26, 1999, are approved, effective April 27, 1999. The tariff sheets approved are:

P.S.C. MO. No. 5

4 th Revised Sheet No. 122.1, Cancelling 3 rd	Revised Sheet No. 122.1
4 th Revised Sheet No. 122.2, Cancelling 3 rd	Revised Sheet No. 122.2
5 th Revised Sheet No. 122.3, Cancelling 4 th	Revised Sheet No. 122.3
5 th Revised Sheet No. 122.31, Cancelling 4 th	Revised Sheet No. 122.31
3 rd Revised Sheet No. 122.4, Cancelling 2 nd	Revised Sheet No. 122.4
2 nd Revised Sheet No. 122.5, Cancelling 1 st	Revised Sheet No. 122.5

¹ In the Matter of Kansas City Power & Light Company's Tariffs for Standby Service and Special Contracts, Case No. ET-97-113 (Report and Order, June 13, 1997.)

3. That this order shall become effective on April 27, 1999.
4. That this case may be closed on April 28, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray,
and Schemenauer, CC., concur.
Crumpton, C., absent.

Thornburg, Regulatory Law Judge

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COMMISSION ON
PUBLIC SERVICE COMMISSION