

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

In the Matter of the Tariff Filings of Union                    )  
Electric Company d/b/a Ameren Missouri, to                    )     File No. ER-2011-0028  
Increase Its Revenues for Retail Electric Service.            )

**RESPONSE TO NON-UNANIMOUS  
STIPULATION AND AGREEMENT  
REGARDING CLASS COST OF SERVICE AND RATE DESIGN**

**COMES NOW** Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), and in response to the above-referenced Stipulation and Agreement filed by certain parties to this case on May 12, 2011, states as follows:

1.     The Office of the Public Counsel (“OPC”), the Missouri Industrial Energy Consumers (“MIEC”), AARP, the Consumers Council of Missouri (“CCM”), the Missouri Retailers Association (“MRA”), the Midwest Energy Users’ Association (“MEUA”) and the Missouri Energy Group (“MEG”) have agreed-upon and filed the above-referenced Stipulation and Agreement that calls for Ameren Missouri’s residential customers to receive a larger share of the rate increase sought in this case than certain other customers. Specifically, the Stipulation and Agreement calls for residential customers to receive a larger share of the increase than industrial customers and larger retailers.

2.     Ameren Missouri was not included in any of the discussions that led to this Stipulation and Agreement, and in fact had no knowledge regarding its terms until first seeing it early in the morning on May 12, 2011.

3.     Ameren Missouri continues to believe that the equal, across-the-board allocation of the rate increase sought in this case reflects the most appropriate rate design for its customers. However, given that representatives of nearly all of Ameren Missouri’s rate classes,<sup>[1]</sup> including

---

<sup>[1]</sup> Except the lighting class and apparently smaller retailers.

the Office of the Public Counsel – who is charged with representing the interests of the public including, importantly, the interests of residential customers – appear to have decided that industrial customers and larger retailers should bear less of the rate increase and that the revenue shift caused by that agreement should be borne primarily by residential customers, Ameren Missouri does not intend to assert its rights under 4 CSR 240-2.115(2)(B).

4. By not asserting its rights under 4 CSR 240-2.115(2)(B), Ameren Missouri does not waive its right to cross-examine any witnesses who may testify if an objection to the Stipulation and Agreement is made, or to cross-examine any witness who may be examined by the Commission.

Respectfully submitted,

/s/ James B. Lowery  
James B. Lowery, Mo. Bar #40503  
SMITH LEWIS, LLP  
P.O. Box 918  
Columbia, MO 65205-0918  
(T) 573-443-3141  
(F) 573-442-6686  
[lowery@smithlewis.com](mailto:lowery@smithlewis.com)

Thomas M. Byrne, Mo. Bar #33340  
Union Electric Company  
d/b/a Ameren Missouri  
P.O. Box 66149 (MC 1310)  
1901 Chouteau Avenue  
St. Louis, MO 63166-6149  
(T) 314-554-2514  
(F) 314-554-4014

Attorneys for Union Electric Company  
d/b/a Ameren Missouri

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 17th day of May, 2011.

**/s/James B. Lowery** \_\_\_\_\_  
James B. Lowery