

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 1st
day of October, 1991.

Application of Union Electric Company for permission and)
authority to construct, operate and maintain a 161 kilovolt) Case No. EA-91-56
(kV) transmission line in Camden County, Missouri.)
)

ORDER DENYING MOTION TO REOPEN RECORD

On September 25, 1991, Union Electric Company (UE) filed a motion to reopen the record in this case to receive new evidence UE contends is directly related to matters cited by the City of Linn Creek in its brief. UE states that Linn Creek quoted in its reply brief from a draft report of the Environmental Protection Agency (EPA) not received into evidence and that responses to that report were now available, and UE requests they be received into evidence.

On September 30, 1991, Linn Creek filed a response to UE's motion opposing reopening the record. Linn Creek states that the references in its reply brief are in evidence as part of the testimony of Linn Creek witness George McGuire.

The Commission has reviewed the motion and has determined it will be denied. Since the draft report was not received into evidence, references to it which are not otherwise in the record in this case will not be considered by the Commission. Since any references to the draft report which are not otherwise in the record will not be considered, the Commission will not reopen the record for responses to the draft.

IT IS THEREFORE ORDERED:

1. That the motion to reopen hearing of Union Electric Company be hereby denied.

2. That this order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

Mueller, Rauch, McClure and
Perkins, CC., concur.
Steinmeier, Chm., absent.