

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 23rd
day of June, 1995.

In the matter of the application of Union Electric)
Company for a variance from the provisions of 4 CSR)
240-14 to meet the unregulated competition in Audrain) Case No. EO-95-348
County, Missouri, to serve the State of Missouri.)
)

ORDER CLOSING DOCKET

On May 9, 1995, Union Electric Company (UE) filed an application for a variance from certain provisions of the Commission's promotional practices rules (4 CSR 240-14.010 et seq.). The variance from certain provisions was requested so that UE could provide electric service to a women's correctional center near Vandalia, Missouri. In its application, UE stated that it sought to waive approximately \$278,000 worth of costs that would normally be paid by the customer.

On June 5, 1995, the Commission's Staff filed a memorandum to the official case file that recommended approval of the variance request subject to certain conditions, including a condition as to the bookkeeping treatment of the charges to be waived and a condition that UE file a tariff sheet showing this specific promotional practice.

On June 15, 1995, the Commission issued an Order Granting Variance. In that order, the Commission directed UE to file, no later than June 21, 1995, a tariff sheet reflecting this specific promotional practice. The tariff sheet and order were to become effective June 26, 1995.

Also on June 15, 1995, but after the issuance of the Commission's order, the Office of the Public Counsel (OPC) filed a motion to suspend sent to UE in this docket.

On June 16, 1995, OPC filed a motion to rescind the Commission's order granting variance and requested that the Commission schedule a prehearing conference. In that pleading, OPC suggested that in order for the Commission to make a fully informed decision, it should have before it the full incentive package offered by UE and sufficient evidence that UE met the standards established in law and Commission regulations.

On June 16, 1995, the Commission issued a notice requiring responses to OPC motion to suspend consideration of the variance request no later than June 21, 1995. On June 19, 1995, the Commission issued a notice requiring responses to OPC's motion to rescind the order no later than June 21, 1995.

On June 21, 1995, UE filed a motion to withdraw the application. Attached to UE's motion is a letter from Randall G. Allen, AIA, Director, Division of Design and Construction. The letter states that it has been concluded that it would be in the State's best interest to contract with Ralls County Electric Cooperative for the electrical power service to the new facility.

The Commission determines that the decision to have Ralls County Electric Cooperative provide electric service to the Vandalia facility renders the Commission's Order Granting Variance, OPC's two motions, and the Commission's two notices all moot. The Commission will order that this docket be closed.

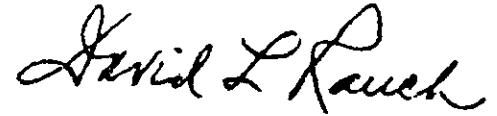
IT IS THEREFORE ORDERED:

1. That Case No. EO-95-348 be, and is hereby, closed.

2. That this order shall become effective on the 5th day of July,

1995.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure and
Crompton, CC., concur.
Kincheloe, C., absent.