

# GOLLER, GARDNER AND FEATHER

PROFESSIONAL CORPORATION

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February 22, 2000

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

FILED<sup>2</sup>  
FEB 22 2000  
Missouri Public  
Service Commission

**Re: In the Matter of the Application of Union Electric Company for an Order Authorizing: (1) Certain Merger Transactions Involving Union Electric Company; (2) the Transfer of Certain Assets, Real Estate, Leased Property, Easements and Contractual Agreements to Central Illinois Public Service Company; and (3) In Connection Therewith, Certain Other Related Transactions., Case No. EM-96-149**

Dear Mr. Roberts:

Enclosed for filing please find an original and fourteen (14) copies of a *Response in Support of Staff Motion for Commission Orders* to be filed with your office.

Copies have been sent to all parties of record. Thank you for your attention to this matter.

Very truly yours,



T. Annette Stewart  
Legal Secretary for  
Paul H. Gardner

/as

Encl.

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

**FILED<sup>2</sup>**

FEB 22 2000

Missouri Public  
Service Commission

In the Matter of the Application of )  
Union Electric Company for an Order )  
Authorizing: (1) Certain Merger )  
Transactions Involving Union Electric )  
Company; (2) the Transfer of Certain )  
Assets, Real Estate, Leased Property, )  
Easements and Contractual Agreements )  
to Central Illinois Public Service )  
Company ; and (3) In Connection )  
Therewith, Certain Other Related )  
Transactions. )

Case No. EM-96-149

**RESPONSE IN SUPPORT OF STAFF MOTION  
FOR COMMISSION ORDERS**

COMES NOW the Retirement Facilities Coalition and for its Response in Support of Staff Motion for Commission Orders states as follows:

1. The Retirement Facilities Coalition (hereinafter ("Retirement Facilities")) intervened and participated in the class cost of service docket established in Case No. EO-96-15 and are parties to Case No. EO-96-14.

2. The Retirement Facilities receive electric service under Union Electric's Large General Service rate classification and were among the parties entering into the May 3, 1999 Stipulation and Agreement in Case No. EO-96-15 intended to result in a permanent rate reduction for Union Electric's customers including those customers provided service under the Large General Service rate.

3. On November 18, 1999 this Commission approved the Stipulation and Agreement in Case No. EO-96-15.

4. The Stipulation and Agreement that was approved in Case No. EM-96-149

contemplated that both the monitoring case (EO-96-14) and the class cost-of-service/rate design case (EO-96-15) would be concluded in time to allow a permanent change to U.E.'s rates and tariffs to be implemented by September 1, 1998.

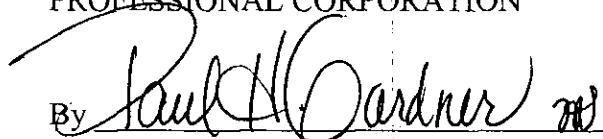
5. To date, Union Electric has filed no tariffs effectuating the permanent rate reduction agreed to by the parties more than nine months ago in Case No. EO-96-15.

6. The Retirement Facilities support Staff's Motion for Commission Orders filed on February 17, 2000 and request that the Commission order: (1) U.E. to effectuate, in Case No. EO-96-14, the crediting of customers' bills starting April 1, 2000 for the third year sharing credit of the first experimental alternative regulation plan (EARP), which U.E. has quantified, and the Staff has verified, as \$28.375 million; (2) U.E. to effectuate, in Case No. EM-96-149 and Case No. EO-96-15, prior to April 1, 2000, the permanent rate reduction, which U.E. has quantified, and the Staff has verified, as \$16.321 million, by U.E. filing tariff sheets with the Commission, having an effective date prior to April 1, 2000, reflecting said permanent rate reduction; (3) U.E. to effectuate, in Case No. EM-96-149, starting April 1, 2000, the crediting of customers' bills for the excess revenues billed between September 1, 1998 and the effective date of the permanent rate reduction; and (4) U.E. to file, in Case No. EM-96-149, a final earnings report for the first year of the second EARP.

Respectfully submitted,

GOLLER, GARDNER AND FEATHER  
PROFESSIONAL CORPORATION

By



Paul H. Gardner Mo. Bar #28159

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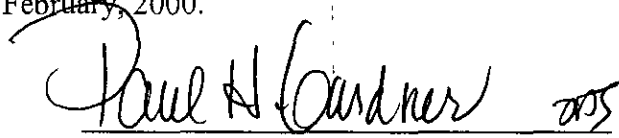
Telephone: 573/635-6181

Facsimile: 573/635-1155

Attorneys for The Retirement Facilities  
Coalition

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document filed in the above captioned case has been sent to all counsel of record to Case EM-96-149 by First Class Mail, postage pre-paid, U.S. Mail this 20<sup>th</sup> day of February, 2000.



Paul H. Gardner