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August 11, 2000

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

RE: Case No. GR-2000-512

FILED²
AUG 11 2000
Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF'S RESPONSE TO MOTION FOR AUTHORIZATION TO FILE SUPPLEMENTAL TESTIMONY.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Robert V. Franson
Assistant General Counsel
(573) 751-6651
(573) 751-9285 (Fax)

Enclosure

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

AUG 11 2000

Missouri Public
Service Commission

In the Matter of Union Electric Company)
d/b/a AmerenUE for Authority to File)
Tariffs Increasing Rates for Gas Service)
Provided to Customers in the Company's)
Missouri Service Area)

Case No. GR-2000-512

**STAFF'S RESPONSE TO MOTION FOR AUTHORIZATION TO FILE
SUPPLEMENTAL TESTIMONY**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), and for its Response to AmerenUE's ("Company") Motion for Authorization to File Supplemental Direct Testimony and states to the Commission as follows:

1. On or about August 2, 2000, the Company filed its Motion for Authorization to File Supplemental Direct Testimony. The Company seeks to file Supplemental Direct Testimony of Phillip Difani, Jr. and William M. Warwick.
2. The proposed Supplemental Direct Testimony of Phillip Difani, Jr., contains an updated version of the cost of service study found in Mr. Difani's direct testimony and corrects some "minor errors" (Co. Motion at 3). The proposed Supplemental Direct Testimony of Mr. Warwick provides a calculation of new specimen rates based on Mr. Difani's updated cost of service study (Co. Motion at 3).
3. The Company also states that it provided the other parties with the results of its site inventory of the facilities used in serving the customers in the Company's Interruptible and

28

Transportation Rate classes (Motion at 1-2). However, the Company's Motion fails to recognize the severe problems and disadvantages that its Motion presents for the other parties to the case.

4. The Company first alleges that it presented the results of its facilities inventory to Staff, Office of the Public Counsel ("OPC"), and the Midwest Gas Users' Association (MGUA) at various points in time (Motion at 2), beginning on June 28, 2000 (Motion at 2). However, the very proposed Supplemental Testimony offered by the Company shows that this is substantially incorrect in that only "preliminary results" of an "ongoing study" were provided. In the testimony the facilities inventory is referred to as a Distribution Inventory ("DI") ((Proposed Difani Supplemental Direct at 2, lines 5-6).

5. The Company states that the "preliminary results" of the DI Study were discussed at a technical meeting with Staff and OPC (Proposed Difani Supplemental Direct at 4, lines 12-13). The DI study was described by the Company as a "work in progress" (Proposed Difani Supplemental Direct at 4, lines 15-16). The final results of the study were to be provided to all parties when finalized (Proposed Difani testimony at 4, lines 16-17). The final details were not sent to the other parties until July 27, 2000 (Proposed Difani Supplemental Direct at 4). Staff received a final copy of the results on July 28, 2000.

6. Staff, OPC and any other parties to this case must file their rate design testimony by August 15, 2000. The Company's Motion was filed much too late to be considered and analyzed prior to August 15, 2000. Providing the parties with new information on July 28, 2000, was much too late to be considered in the Staff Audit or analysis that were completed prior to July 28, 2000.

7. In its Motion, the Company states its purpose of providing new information regarding its cost of service study to all of the parties at the earliest possible date (Motion at 4).

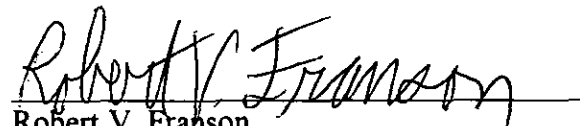
However, it has been clearly established that this information was not provided to Staff until July 28, 2000. The Company ignores the hardship that is placing on Staff. In fact the filing of this Supplemental Direct Testimony will prevent the Staff from conducting proper discovery at this point in the procedural schedule.

8. Staff cannot respond to something that was not provided to Staff in a timely manner. Staff is highly prejudiced by this late filing. Staff cannot be sure about how the proposed testimony and materials will change Staff's position or analysis due to inadequate notice and failure to fully file the materials in a timely manner. The Company relies on 4 C.S.R. 240-2.130 (8) as authority to file its Supplemental Direct Testimony. However, the Company does not and has not suggested any accommodations for the facilitation of Staff's case due to severe prejudice caused by the Company. For these reasons, Staff requests that the Company's Motion to to File Supplemental Direct Testimony be denied.

WHEREFORE, the Staff respectfully requests that the Commission deny the Company's request to file Supplemental Direct Testimony.

Respectfully submitted,

DANA K. JOYCE
General Counsel



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Deputy General Counsel
Missouri Bar No. 34643

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 11th day of August, 2000.



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Case No. GR-2000-512
August 11, 2000

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