

FILED³

APR 25 2000

Missouri Public
Service Commission

April 24, 2000

VIA FEDERAL EXPRESS



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

Re: MPSC Case Nos. ET-2000-666

Dear Mr. Roberts:

Enclosed for filing on behalf of Union Electric Company, d/b/a AmerenUE, in the above matter, please find an original and fourteen (14) copies of its **Response to Motions to Suspend Tariff and to Consolidate and Objection to Style of Case.**

Kindly acknowledge receipt of this filing by stamping a copy of the enclosed letter and returning it to me in the enclosed self-addressed envelope.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James J. Cook", is written over the typed name and title.

James J. Cook
Managing Associate General Counsel

JJC/db
Enclosures

cc: Mr. Lewis Mills
Mr. Morris Woodruff
Parties on Attached Service List

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

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In the Matter of Union Electric Company's)
Tariff Sheets to Revise Rates for Interruptible)
Customers of Union Electric Company) **Case No. ET-2000-666**

**UNION ELECTRIC COMPANY'S RESPONSE TO MOTIONS
TO SUSPEND TARIFF AND TO CONSOLIDATE AND
OBJECTION TO STYLE OF CASE**

Union Electric Company, d/b/a AmerenUE ("the Company") hereby submits its Response to the pleadings of the "MEG Interruptibles" (Holnam, Inc.; Lone Star Industries Inc.; and River Cement Company) which were filed in response to the Company's tariff filing of April 6, 2000 (Tariff File No. 200000913). In addition, the Company objects to the style of the matter, presumable initiated by MEG in its pleadings. The Company response and objection are as follows:

1. By letter dated April 5, 2000, and received by the Missouri Public Service Commission on April 6, 2000, the Company submitted four Original Tariff Sheets for filing. This filing is to initiate a new Rider M, "to provide the Company's primary service rate customers the opportunity, at their option, to grant Company the right to call for the curtailment of a portion of such customers' electrical usage based upon a number of curtailment options selected by each individual customer and contracted for with Company." (Transmittal letter, dated April 5, 2000, page 1) On April 19, 2000, the MEG filed its Motion to Suspend those tariffs.

2. MEG raises no issues in regard to the tariff filing that justify its request to suspend. Specifically, in paragraph 1 of its pleading, the MEG identifies itself as a group of customers who were previously on the Company's former Interruptible Rate. In paragraph 2,

they state that they "protest and object to" the Company's filing. In paragraph 3, they make certain claims about the settlement of Case No. EO-96-15 which are not altogether accurate. MEG claims that "UE insisted on implementation of a new curtailment tariff under which curtailments were largely keyed to economic conditions, rather than reliability concerns." This is not necessarily an accurate statement of the Company's position in EO-96-15, but the statement is irrelevant to the protest and this response. They state that the terms of the Stipulation and Agreement in EO-96-15 "granted the right to initiate a proceeding to consider an alternative rate option for interruptible customers of UE." In fact, the Stipulation granted the customers the right to request such a proceeding, only. It is accurate that said request is currently pending before the Commission.

3. Paragraph 4 of the MEG's filing merely states that the Company's filing is different from the MEG's proposal. Paragraph 5 states that the MEG requested the implementation of a "new alternative curtailment tariff on an interim basis during the pendencies of these proceedings" and that it would be "inappropriate to permit UE's proposed Curtailment Tariff to go into effect as the utility has requested."

4. Paragraph 6 states that the issues involved in the Company's filing and the "proceedings previously filed by the MEG" customers "are substantially the same and therefore the matters should be consolidated.

5. MEG raises, literally, no reason to suspend the Company's filing. The Rider that the Company filed is totally voluntary; no customer will be forced to take the service. Each customer can make its own determination whether it wishes to take advantage of the Rider.

6. Suspending the Rider will make it unavailable to customer during the upcoming summer season. Suspending the Rider will therefore deprive eligible customers of

the potential financial advantages of the Rider. Perhaps, if MEG had raised even a single reason why such a suspension would be warranted, the Commission might want to consider it. However, MEG has raised no reasons, whatsoever, except that the Company's tariff filing is not the MEG's filing. There is not even an allegation that the Company's filing is potentially harmful, potentially uneconomical, that it could be better, that it has a flaw that should be corrected, or that it won't work. MEG has raised no reason to suspend this filing.

7. The Company has already contacted its customers to explain the filing and has received requests from three Missouri customers, totaling over 12 MWs, that, pending Commission approval, they want to take advantage of the Rider this summer.

8. In addition, the Company objects to the style of this matter as apparently first developed by the MEG's filing. The Company filed original tariffs, which establish a new Rider that is available to Small and Large Primary customers who meet the requirements of the tariffs. The style of this matter, as stated by MEG, at the top of its pleading, is "In the Matter of Union Electric Company's Tariff sheets to Revise Rate for Interruptible Customers of Union Electric Company." (emphasis added) The Company's filing does not "revise rate for interruptible customers." Pursuant to the Commission's order in EO-96-15, the Company's old Interruptible rate expires at the end of the May 2000 billing period. Customers who were being served on the Interruptible rate may or may not be eligible or interested in the new Rider. Other customers, who were not Interruptible customers, may be eligible for the new Rider. It is incorrect, and in fact, misleading to refer to the Company's filing as a revision of "rates for Interruptible Customers." The Company objects to that description. The Company suggests that this matter, should it be prolonged in any way, be referred to as follows: "In the Matter of Union Electric Company's Tariff Sheets to Establish Rider M – Option Based Curtailment Rider."

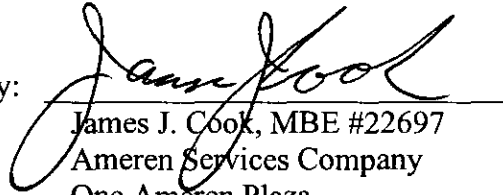
WHEREFORE, for the reason that there is no justification, whatsoever, to suspend the Company's filing, and because the filing offers significant benefits – on a purely voluntary basis – to many of the Company's customers, the Company respectfully requests that MEG's request to suspend the tariffs be denied.

Respectfully submitted,

AmerenUE

Dated: April 24, 2000

By:


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CERTIFICATE OF SERVICE

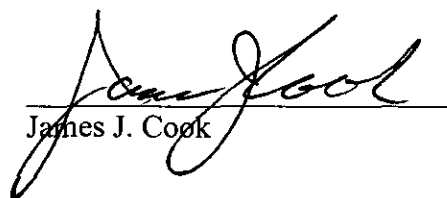
I hereby certify that a copy of the foregoing was served via Federal Express on this 24th day of April, 2000, on the following parties of record:

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