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**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 16th  
day of September, 1997.

In the Matter of the Application of Union    )  
Electric Company for Approval of an        ) Case No. EO-98-95  
Experimental Retail Wheeling Pilot.        )

**ORDER GRANTING WAIVER AND PROVIDING NOTICE**

On September 2, 1997, Union Electric Company (UE) filed an application with the Commission requesting approval of an experimental retail wheeling pilot. In that application UE states that, as part of the Stipulation and Agreement in Case No. EM-96-149, regarding the merger of Union Electric and Central Illinois Public Service Company, UE committed to file with the Commission an experimental retail wheeling pilot program to be available to all classes of customers in Missouri. The order approving the stipulation and merger did not require that the retail pilot plan be filed in any particular form. (Report and Order, Case No. EM-96-149, pp. 5-6) However, the Commission's order extending the filing deadline for the pilot proposal to September 16, 1997, stated that the proposal should be filed in the form of tariffs. (Order Granting Extension of Time, Case No. EM-96-144, p. 2) UE requests a waiver of the requirement that UE submit tariff sheets by September 1, 1997, in order that elements of the pilot proposal remain open for discussion among the interested parties and that UE's flexibility to modify the proposal remain unhindered.

The Commission finds the UE request for a waiver to be reasonable to the extent that the Commission will grant the request on a temporary basis only. Proposed tariff or tariffs will be filed by UE no

later than 30 days before the time the first testimony is due to be filed in this case under an approved procedural schedule.

The Commission finds that notice of this application should be given by the Records Department of the Commission by transmitting a copy of this order to the County Commissioners of all counties in the UE service area. In addition, the Information Officer of the Commission shall provide notice to the members of the General Assembly representing all counties in the UE service area and to all publications of general circulation in those counties as set out in the **Official Manual of the State of Missouri**.

The Commission also determines that proper persons should be given the opportunity to intervene in this matter. Applications to intervene shall be filed with the Executive Secretary, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102, with copies to: William J. Niehoff, Attorney at Law, Union Electric Company, 1901 Chouteau Avenue, P.O. Box 66149, MC 1310, St. Louis, Missouri 63166-6149. A copy of the application shall be served upon Staff and the Office of the Public Counsel as required under 4 CSR 420-2.080(6). The Commission also finds that the Records Department of the Commission shall serve a copy of this notice on all parties of record in Case No. EM-96-149.

**IT IS THEREFORE ORDERED:**

1. That the Records Department and Information Officer of the Commission are directed to send notice as set out in this order.
2. That any interested party wishing to intervene in this matter shall file an application with the Commission requesting intervention no later than the close of business, October 14, 1997.

3. That a temporary waiver of the Commission requirement that a proposed tariff or tariffs be filed is granted to UE as stated in the body of this order.

4. That this order shall become effective on September 16, 1997.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright  
Executive Secretary**

(S E A L)

Lumpe, Ch., Crumpton, Murray,  
and Drainer, CC., concur.

ALJ: Derque