

125
60
50

In the Matter of the Gas Service Tariff Sheet of)
Union Electric Company d/b/a AmerenUE) Case No. GO-98-486
Designed to Extend for an Additional Term the)
Experimental Price Stabilization Fund.)

On April 28, 1998, Union Electric Company d/b/a AmerenUE ("AmerenUE") filed a tariff sheet designed to extend for an additional term the Experimental Price Stabilization Fund ("EPSF"). On April 29, AmerenUE filed an Application to Extend Experimental Price Stabilization Fund and a Motion for Protective Order. In its Application, AmerenUE requests that the tariff sheet be approved as expeditiously as possible. In the cover letter to the tariff, it requests that the tariff be approved to become effective on May 13. AmerenUE does not explain why it did not file the tariff on April 13 in order to allow a full thirty days before its requested effective date.

AmerenUE requests a protective order because the application itself contains information which has been designated "Highly Confidential" because it involves highly sensitive information relating to market-specific information, procurement strategies and other information that would place AmerenUE at a significant competitive disadvantage were such information publicly disclosed. AmerenUE also states that it anticipates providing additional confidential information in this proceeding. Upon review of UE's motion, the Commission finds that it is reasonable. The

Commission recognizes the need to protect sensitive information, and the issuance of a protective order in this case will allow AmerenUE to provide such information to the Commission and appropriate parties with the assurance that it will be treated according to the terms of the protective order. Therefore, the Commission will establish a protective order in this case.

The Commission originally approved the EPSF in Case No. GO-97-405. The tariff approved in that case provides that the EPSF shall be terminated July 31, 1998 unless otherwise ordered by the Commission. In this filing, AmerenUE seeks to extend that fund for another term and modify it in several respects. AmerenUE states that it believes the fund offered its customers protection against price volatility in the 1997-1998 winter season. AmerenUE proposes extending the fund for another term so that its customers will receive the benefit of such protection in the 1998-1999 winter season, and so that interested parties can obtain additional information regarding the fund's operations and effects.

AmerenUE proposes to change the parameters within which it uses financial instruments in two respects. First, it proposes a new authorized price range for financial instruments. Second, it proposes a new restriction on the timing of the sale of exchange traded financial instruments.

AmerenUE also proposes to modify the tariff approved in Case No. GO-97-405 in two respects to clarify procedures to be followed at the end of the term of the experiment. First, the tariff provides that the Price Stabilization Charge shall be terminated on the effective date of the 1999 summer PGA filing. Second, the tariff provides that any balance remaining in the fund at the end of the term shall be charged or returned to

customers through the ACA factors established in the applicable winter PGA filing.

On May 5 the Staff of the Missouri Public Service Commission ("Staff") filed its Memorandum in which it recommends approval of the tariff sheet. Staff believes that the EPSF has significant potential for limiting ratepayers' exposure to short-term price peaks at a cost that is a small percentage of AmerenUE's total gas cost.

No party intervened in Case No. GO-97-405 in which the Staff and AmerenUE filed a Stipulation and Agreement recommending the creation of the EPSF, and no party has intervened in this case. The Office of the Public Counsel did not oppose the Stipulation and Agreement in Case No. GO-97-405, and has not filed a response to the Application in this case.

The Commission determines that extending the EPSF for an additional term, with the modifications proposed, has the potential to shield AmerenUE's customers from price volatility and that the Application should be approved. Since AmerenUE offered no explanation about why it did not file the tariff in this case until April 28, and since the currently approved EPSF runs until July 31, 1998, the Commission determines AmerenUE has not shown good cause for approving the tariff in less than thirty days.

IT IS THEREFORE ORDERED:

1. That the Motion For Protective Order filed by Union Electric Company is granted, and the protective order attached to this order as Attachment A is adopted.

2. That the following revised tariff sheets, filed April 28, 1998, by Union Electric Company d/b/a AmerenUE, are hereby approved for service on or after May 28, 1998:

P.S.C. Mo. No. 2

First Revised Sheet No. 29.4 Canceling Original Sheet No. 29.4

3. That this order shall become effective on June 2, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Murray, Schemenauer
and Drainer, CC., concur.
Crumpton, C., absent.

Mills, Deputy Chief Regulatory Law Judge

RECEIVED

MAY 19 1998

**COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION**