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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 18th  
day of December, 1997.

In the Matter of Union Electric Company's )  
Application for a Variance Waiver from the ) Case No. GO-98-25  
Provisions of 4 CSR 240-10.030(19). )

**ORDER DENYING INTERVENTION**

On July 18, 1997, Union Electric Company (UE or Company) filed an application for variance from Commission rule 4 CSR 240-10.030(19). This rule requires the Company to remove, inspect and test its gas service meters at least once every one hundred-twenty months or more often, if necessary, unless otherwise ordered by the Commission.

The Staff of the Missouri Public Service Commission (Staff) filed a memorandum in the official case file on October 16 recommending approval of the application for variance. On October 30 the Commission issued an Order Granting Variance and approved UE's proposed meter sampling program. The Order Granting Variance became effective on November 12. Pursuant to the Commission's order, UE filed a tariff sheet reflecting the variance on December 1 bearing an effective date of January 1, 1998. On December 9 UE filed a substitute tariff sheet to correct a typographical error.

Local Union No. 2, International Brotherhood of Electrical Workers, AFL-CIO (Local 2) filed an application to intervene on December 10. Local 2 states that it is the exclusive representative for employees of UE covered by a collective bargaining agreement and that this case will

impact future jobs held by employees represented by Local 2. Local 2 seeks to protect the interests of the employees it represents and claims that its intervention in this proceeding will serve the public interest.

The Commission has reviewed the application for intervention filed by Local 2 and finds that it is untimely and should be denied. The application for intervention was filed 28 days after the Commission's Order Granting Variance became effective. This case is open to dispense with the administrative detail of approving tariff modifications made pursuant to the Commission's October 30 order.

**IT IS THEREFORE ORDERED:**

1. That the application to intervene filed by Local Union No. 2, International Brotherhood of Electrical Workers, AFL-CIO on December 10, is denied.

2. That this order shall become effective on December 18, 1997.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

(S E A L)

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

G. George, Regulatory Law Judge