

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
May 17, 2000**

**CASE NO: EM-96-149**

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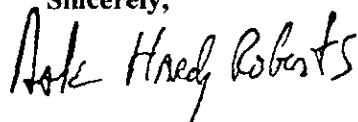
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

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

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

In the Matter of the Application of Union )  
Electric Company for an Order Authorizing: )  
(1) Certain Merger Transactions Involving )  
Union Electric Company; (2) the Transfer )  
of Certain Assets, Real Estate, Leased )  
Property, Easements and Contractual )  
Agreements to Central Illinois Public )  
Service Company; and (3) in Connection )  
therewith, Certain Other Related )  
Transactions )

Case No. EM-96-149

**ORDER DIRECTING FILING OF DIRECT TESTIMONY**  
**AND PROPOSED PROCEDURAL SCHEDULE**

On February 21, 1997, the Commission issued a Report and Order approving a Stipulation and Agreement entered into by the parties on July 12, 1996, which in part, established a second Experimental Alternative Regulation Plan (Second EARP) for an additional three years beginning July 1, 1998 and ending June 30, 2001. The first sharing period of the Second EARP ended on June 30, 1999.

Section 7.f.iv of the Stipulation and Agreement required Union Electric Company d/b/a AmerenUE (AmerenUE) to file a preliminary earnings report, along with the proposed sharing report, within 90 days after the conclusion of the sharing period and a final earnings report and a proposed sharing report within 105 days after the end of the sharing period. Litigation of the first Experimental Alternative Regulation Plan in Case No. EO-96-14 caused delay in the filing of the earnings reports for the first year of the Second EARP. On

February 17, 2000, AmerenUE filed its final earnings report for the first sharing period of the Second EARP relating to the period beginning July 1, 1998 through June 30, 1999.

Section 7.f.x requires the other signatory parties to the Stipulation and Agreement to provide notice to the Commission within 30 days that there may be areas of disagreement not previously brought to the attention of the Commission that need to be resolved. On April 25, 2000, the Office of the Public Counsel (Public Counsel) and the Staff of the Commission (Staff) each filed their notice identifying areas of disagreement with AmerenUE's final earnings report and proposed sharing report.

Public Counsel stated that the potential areas of disagreement between Public Counsel and AmerenUE which they believe the Commission should be advised of include:

- A. accrual of environmental expenses,
- B. consultant costs related to nonregulated activities, and
- C. AmerenUE energy software costs.

Public Counsel also stated that it plans to continue its discovery through written data requests and visits to company facilities. Public Counsel stated that it anticipates additional discussions with AmerenUE. Public Counsel recommended that the Commission establish a deadline for filing prepared direct testimony or on about May 30, 2000.

Staff stated that as of the date of the filing of this report, it characterizes as areas of disagreement between Staff and AmerenUE the following:

- A. advertising,
- B. targeted separate plan,

**IT IS THEREFORE ORDERED:**

1. That the Office of the Public Counsel and the Staff of the Public Service Commission shall file its prepared direct testimony in support of their areas of disagreement on or before May 30, 2000.
2. That a proposed procedural schedule shall be filed by the parties on or before May 30, 2000.
3. That this order shall become effective on May 30, 2000.

**BY THE COMMISSION**



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

(S E A L)

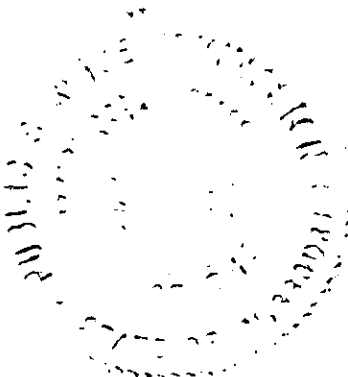
Shelly A. Register, Regulatory  
Law Judge, by delegation of  
authority pursuant to 4 CSR  
240-2.120(1), (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 17th day of May, 2000.

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

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 17<sup>th</sup> day of May 2000.



*Dale Hardy Roberts*

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