

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

In the Matter of Tariff Sheets Filed by Union	)	
Electric Company d/b/a AmerenUE Designed to	)	Case No. ET-2010-0123
Implement Revisions to AmerenUE's Business	)	Tariff Tracking No. JE-2010-0229
Energy Efficiency Programs.	)	

**RESPONSE OF AMERENUE TO COMMISSION ORDER ESTABLISHING  
DEADLINE FOR RESPONSES**

COMES NOW Union Electric Company d/b/a AmerenUE (AmerenUE or Company), and hereby responds to the Missouri Public Service Commission's (Commission) *Order Establishing Deadline for Responses (Recommendation)*. In this regard, AmerenUE states as follows:

1. AmerenUE filed six tariff sheets on September 25, 2009 with an effective date of October 25, 2009. These tariff sheets were all revisions of its currently approved Business Energy Efficiency Portfolio (BEEP) program. Only one tariff revision mentioned the Missouri Energy Efficiency Investment Act (§ 393.1124.4 RSMo; 2009) (MEEIA).

2. On October 8, 2009, after discussions with Staff, AmerenUE withdrew one of the six proposed revised tariff sheets, the only one which mentioned MEEIA.

3. On October 20, 2009, Staff filed its *Recommendation to Approve Tariff Sheets with Express Statement of Non-Determination*. AmerenUE did not object to Staff's request that the Commission issue an order indicating that the Commission is not taking a position of whether this tariff is "pursuant to" MEEIA.

4. The Commission issued its *Order Approving Tariff Filings with Clarification* (Order Approving Tariff). The *Order Approving Tariff* contained a footnote

stating, “However, AmerenUE has not changed its position that its BEEP programs are commission-approved demand-side programs proposed pursuant to the Missouri Energy Efficiency Investment Act.” AmerenUE filed its *Motion for Clarification* asking that the above-cited sentence be struck from the *Order Approving Tariff* because it does not accurately reflect AmerenUE’s position in this case. The Commission issued its *Notice of Correction and Notice Closing Case* which removed the sentence cited above.

5. On November 2, 2009, Staff filed *Staff’s Response to Motion for Clarification*, challenging the basis for the removal of that sentence. On that same date, the Commission issued an *Order Establishing Deadline for Responses* to that filing.

6. The record in this case no longer reflects any AmerenUE position as to MEEIA and how it does or does not apply to the BEEP revisions. The statute was mentioned in the initial tariff revision and filing letter but that language has since been removed.

7. AmerenUE believes that the removal of this sentence by the Commission was correct and appropriate and that no further action by the Commission is necessary other than to close the case.

WHEREFORE, AmerenUE files this pleading in response to the Commission’s *Order Establishing Deadline for Responses* and asks that the Commission close this case.

Respectfully submitted,

UNION ELECTRIC COMPANY,  
d/b/a AmerenUE

By: /s/ Wendy K. Tatro  
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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing have been e-mailed or mailed, via first-class United States Mail, postage pre-paid, to the service list of record this 9<sup>th</sup> day of November, 2009.

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/s/ Wendy K. Tatro

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