

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service Commission
held at its office in Jefferson City on the
27th day of September, 2001.

In the Matter of the Tariff Filing of Union Electric)	
Company d/b/a AmerenUE to Incorporate into the)	
Company's Tariff a Revised Procedure for the)	
Development of Estimated Customer Natural Gas)	<u>Case No. GT-2002-70</u>
Usage and Clarify and Update the Tariff Provisions)	Tariff No. 200200068
Describing the Company's Current Process for)	
Estimating Customer Gas Usage)	

**ORDER FURTHER SUSPENDING TARIFF AND DIRECTING FILING OF
PROPOSED PROCEDURAL SCHEDULE**

This order suspends, for an additional 90 days, a tariff proposed by Union Electric Company d/b/a AmerenUE, and directs the parties to file a proposed procedural schedule.

On August 14, 2001, the Office of the Public Counsel filed a motion asking the Commission to suspend a proposed tariff issued by Union Electric Company d/b/a AmerenUE. The tariff carried an effective date of August 29, 2001. Public Counsel's motion argued that it needed more time to evaluate AmerenUE's tariff and requested that the tariff be suspended. The Staff of the Commission filed a response on August 22, indicating that AmerenUE, Public Counsel, and Staff agreed that AmerenUE's tariff should be suspended until September 28 to permit the parties to negotiate and come to an agreement regarding the proposed tariff. On August 28, the Commission issued an order that complied with the request of the parties by suspending the tariff until September 28.

On September 21, the Commission ordered Staff, Public Counsel, and AmerenUE to file, no later than September 24, a recommendation regarding whether the Commission should further suspend AmerenUE's tariff. On September 24, the Staff filed a recommendation, in

which AmerenUE joined, indicating that most of the disagreements about the tariff have been resolved and that AmerenUE is prepared to withdraw its previously filed tariff and file a revised version of that tariff. Staff recommends that the Commission further suspend the tariff until November 1, to permit AmerenUE to withdraw and revise its tariff.

The memorandum that accompanied Staff's recommendation acknowledges that not all parties have agreed to the revised tariff that AmerenUE plans to submit. Indeed, on September 24, Public Counsel filed its recommendation, requesting that the Commission further suspend AmerenUE's tariff and set this matter for hearing. Public Counsel argues that AmerenUE's tariff should not be approved unless it contains a formula for calculating multi-month estimated bills and an example of how the multi-month estimated bills will be calculated using the proposed formula.

All parties agree that AmerenUE's tariff should be further suspended, and the Commission will do so. Staff recommends that the tariff be suspended only until November 1, to permit further time for negotiations. The Commission certainly encourages the parties to continue their negotiations, but the Commission cannot continue to suspend the tariff for short periods without moving this matter toward a hearing. To do so risks using up the time permitted by statute for suspension of a tariff, without bringing the matter to a resolution.

Section 393.150, RSMo 2000, permits the Commission to suspend AmerenUE's tariff for a period of 120 days beyond the time when it would otherwise go into effect. The tariff has already been suspended for 30 days, so the Commission will suspend it for an additional 90 days. The parties will also be ordered to submit a proposed procedural schedule to bring this matter to hearing. If the parties believe that a hearing cannot be concluded within 90 days, they shall so inform the Commission, and the Commission will consider further suspending the tariff as permitted by Section 393.150.2.

IT IS THEREFORE ORDERED:

1. That the proposed tariff sheets issued on July 30, 2001, by Union Electric Company d/b/a AmerenUE, and assigned Tariff No. 200200068, previously suspended for a

period of 30 days beyond August 29, 2001 to September 28, 2001, are further suspended until December 27, 2001, or until otherwise ordered by this Commission. The tariff sheets suspended are:

P.S.C. Mo. – No. 2

1st Revised Sheet 56, Canceling Original Sheet 56

4th Revised Sheet 57, Canceling 3rd Revised Sheet 57

2. That the parties shall file a proposed procedural schedule no later than October 5, 2001. The procedural schedule shall include dates for the filing of testimony and for a hearing.

3. That this order shall become effective on September 28, 2001.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Murray, Lumpe and Gaw, CC., concur
Simmons, Ch., absent

Woodruff, Senior Regulatory Law Judge