

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

In the Matter of Union Electric Company, d/b/a )  
AmerenUE's Purchased Gas Adjustment Factors to ) **Case No. GR-2008-0366**  
be audited in Its 2007-2008 Actual Cost Adjustment. )

## STAFF'S STATUS REPORT

**COMES NOW** the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”) in the above-captioned matter and, pursuant to the Commission’s August 16, 2010 *Order Directing Filing of Status Reports*, submits its Status Report concerning AmerenUE’s (n/k/a Ameren Missouri) 2007-2008 Actual Cost Adjustment (ACA) filing. Staff continues to recommend the Commission leave this case open as Ameren Missouri pursues recovery of overpayments made to Missouri Pipeline Company (MPC) and Missouri Gas Company (MGC) (n/k/a MoGas) for transportation of natural gas during this ACA period. In support of this recommendation, Staff states:

1. In its recommendation in this case, Staff suggested this case remain open pending resolution of a Circuit Court case in which Ameren Missouri brought suit for refunds of overpayments made to MPC and MGC (n/k/a MoGas Pipeline) for transportation of natural gas.

2. The ACA period reviewed in Staff's Purchased Gas Adjustment (PGA) recommendation included charges for gas transportation costs which are higher than the maximum rate. The Commission issued its Order concerning the maximum transportation rates in its October 11, 2007 *Revised Report and Order* in Case No. GC-2006-0491. This Order was affirmed on appeal to the Western District Court of Appeals.

3. Ameren filed a petition in Cole County Circuit Court, Case No. 09AC-CC00398, to recover overcharges from MoGas.

4. On September 25, 2012, Judge Nancy Schneider entered an order granting summary judgment in favor of Ameren in its overcharge lawsuit against MoGas. The Court ordered that Ameren recover from MoGas \$7,449,885.68, plus interest. On October 30, 2012, an Amended Judgment and Order was entered which ordered that Ameren recover \$7,449,885.68 from MoGas, plus pre-judgment interest in the amount of \$5,237,102.71, plus post-judgment interest at the statutory rate.

5. Staff recommends the Commission continue to hold this ACA case open so that Staff can monitor Ameren's pursuit of refunds from MoGas (MPC and MGC). Staff has also made this recommendation in Ameren's ACA cases for periods subsequent to the period covered by this individual case.

**WHEREFORE**, Staff respectfully requests that the Commission accept this Status Report and recommends that the Commission continue to hold this case open so that Staff can continue to monitor Ameren's pursuit of refunds from MoGas (MPC and MGC).

Respectfully submitted,

**/s/ Jeffrey A. Keevil**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 1st day of February, 2013.

**/s/ Jeffrey A. Keevil**