



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. KOLILIS
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

October 29, 2001

FILED³

OCT 29 2001

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. EO-2001-684 – In the Matter of the Application of Union Electric Company d/b/a AmerenUE for an Order authorizing it to Withdraw from the Midwest ISO to Participate in the Alliance RTO.

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of the **STAFF RESPONSE TO UE MOTION TO REOPEN THE RECORD AND TO MAKE LATE-EXHIBIT FILING AND STAFF MOTION TO REOPEN THE RECORD AND MAKE LATE-EXHIBIT FILING.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Dennis L. Frey
Associate General Counsel
(573) 751-8700
(573) 751-9285 (Fax)

Enclosure
cc: Counsel of Record

FILED³

OCT 29 2001

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of the Application of Union)
Electric Company d/b/a AmerenUE for an)
Order Authorizing It to Withdraw from)
the Midwest ISO to Participate in the)
Alliance RTO)

Case No. EO-2001-684

**STAFF RESPONSE TO UE MOTION TO REOPEN THE
RECORD AND TO MAKE LATE-EXHIBIT FILING AND
STAFF MOTION TO REOPEN THE RECORD AND MAKE LATE-EXHIBIT FILING**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), in response to the October 18, 2001 Union Electric Company ("UE") Motion To Reopen The Record And To Make Late Filing Of Exhibit. As part of the instant reply, the Staff submits this pleading as its own motion, pursuant to 4 CSR 240-2.110(8) and 4 CSR 240-2.130(17), to reopen the record and receive into evidence the Initial Comments of various state commissions filed with the Federal Energy Regulatory Commission ("FERC") in response to the Alliance Companies' Offer Of Settlement. In support thereof, the Staff states as follows:

1. On October 18, 2001, UE filed with the Commission a Motion To Reopen The Record And To Make Late Filing Of Exhibit pursuant to 4 CSR 240-2.110(8) and 4 CSR 240-2.130(17). An Offer Of Settlement of the Alliance Companies filed with the FERC, respecting the formation of a Stakeholder Advisory Committee, is the subject of UE's Motion filed on October 18, 2001.

2. The Staff has no objection to UE's Motion so long as the Commission reopens the record and accepts as a late-filed exhibit the Initial Comments of the Illinois Commerce Commission, Indiana Utility Regulatory Commission, Michigan Public Service Commission,

45

Ohio Public Utilities Commission and Public Service Commission of West Virginia and the Initial Comments of the Pennsylvania Public Utility Commission filed with the FERC on October 23, 2001 and October 24, 2001, respectively, in response to the Alliance Companies' Offer Of Settlement. Both Initial Comments of the state commissions were downloaded from the FERC's website. The Initial Comments of the Pennsylvania Public Utility Commission were electronically filed with the FERC, and, as a consequence, the copy downloaded from the FERC website does not show signatures on the signature lines on the cover letter, the Initial Comments, or the certificate of service to the Initial Comments.

3. In its Motion, UE makes certain representations respecting the state commissions that participated in the discussions that occurred under the guidance of the FERC's Dispute Resolution Services. The Initial Comments of the state commissions are relevant to the representations of UE, and, thus, it is appropriate to receive them into the record for the record to be complete and accurate, if the Commission is to grant UE's Motion filed on October 18, 2001. The Staff refers to these Initial Comments in its initial brief being filed this date in this case. UE and any other party will have an opportunity in reply briefs to respond to anything in the Staff's initial brief; thus, no party will be disadvantaged by the Staff filing this date these Initial Comments of various state commissions.

4. Copies of the Initial Comments of the aforementioned state commissions are being provided to all parties of record and an "original" and eight copies are being provided to the presiding Regulatory Law Judge.

WHEREFORE, the Staff respectfully states that it has no objection to the Motion of UE filed with this Commission on October 18, 2001, so long as the Commission grants this Motion of the Staff to reopen the record and admit into evidence the Initial Comments of various state

commissions submitted to the FERC in response to the Alliance Companies' October 12, 2001 Offer Of Settlement which is the subject of UE's Motion To Reopen The Record And To Make Late Filing Of Exhibit.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Dennis L. Frey
Associate General Counsel
Missouri Bar No. 44697

Steven Dottheim
Chief Deputy General Counsel
Missouri Bar No. 29149

Attorneys for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8700 (Telephone)
(573) 751-9285 (Fax)
e-mail: dfrey03@mail.state.mo.us

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 29th day of October 2001.



Service List for
Case No. EO-2001-684
Verified: October 29, 2001 (ccl)

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Robin E. Fulton
Schnapp, Fulton, Fall, McNamara & Silvey
135 E. Main St., P.O. Box 151
Fredericktown, MO 63645-0151

Robert C. Johnson
Lisa C. Langeneckert
Law Office of Robert C. Johnson
720 Olive Street, Suite 2400
St. Louis, MO 63101

David B. Hennen
Ameren Services Company
1901 Chouteau
PO Box 66149 (MC 1310)
St. Louis, MO 63166-6149

Diana M. Vulysteke
Bryan Cave LLP
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 63102

Duncan Kincheloe
Attorney at Law
2407 W. Ash
Columbia, MO 65203