

(314) 554-2976

Case No. EK-91-312



May 6, 1991

**FILED**

MAY - 7 1991

VIA FEDERAL EXPRESS

**PUBLIC SERVICE COMMISSION**

Mr. Brent Stewart  
Executive Secretary  
Missouri Public Service Commission  
301 West High  
Jefferson City, MO 65101

Re: Union Electric Company's Rider P--PowerStat Program:  
File No. 9100378

Dear Mr. Stewart:

Based on discussions with Staff and Public Counsel, Union Electric is withdrawing the tariff sheets which were filed with your office on April 5, 1991 and which were associated with the above experimental program. Further, based also on such discussions, Union Electric is submitting new tariffs and requesting that they take effect on less than 30 days notice for good cause shown.

Consequently, Union Electric hereby withdraws the following tariff sheets as revisions of Schedule No. 5, Schedule of Rates for Electric Service:

<u>Filed</u>	<u>Canceling</u>
Original Sheet No. 120.1	-
Original Sheet No. 120.2	-
Original Sheet No. 120.3	-
Original Sheet No. 120.4	-

Further, the accompanying tariff sheets issued by Union Electric are transmitted to you for filing as revisions of Schedule No. 5, Schedule of Rates for Electric Service:

<u>Filed</u>	<u>Canceling</u>
Original Sheet No. 117.5	-
Original Sheet No. 117.6	-
Original Sheet No. 117.7	-
Original Sheet No. 117.8	-

*File No. 9100378*

7/5

5/7/91

Phoned Paul Agathon  
and he agreed to  
resubmit tariffs with  
a 30 day effective  
date on them.

I have this date  
returned the proposed  
tariff sheets

of

The new tariff sheets are being filed because Union Electric inadvertently did not provide Public Counsel with a copy of the initial filing made on April 5. Further, the new tariff sheets include language changes which Union Electric made in response to concerns expressed by Staff and Public Counsel.

Union Electric hereby requests that the new tariff sheets take effect on May 14, or on less than 30 days notice, pursuant to Section 393.140(11) and 4 CSR 240-20.010(25). There is good cause for this request for the following reasons. First, Union Electric has been planning to implement this program for some time now and is anxious to begin collecting data. Second, it has previously scheduled dates in early May to have its employees trained on the new equipment associated with this experimental program. Third, it has had extensive discussions with Staff and Public Counsel for several weeks in an effort to inform them about this program and to respond to their concerns. This period of time up to May 14 approximates a traditional 30 day notice period in Union Electric's estimation. Finally, it is our understanding that Staff and Public Counsel are generally supportive of this program, although they may still have concerns about certain of its aspects.

Staff and Public Counsel have represented that they may be proposing further changes to these new tariffs. Union Electric may (or may not) agree to such proposals. With regard to these possibilities, Union Electric's understanding is as follows: (1) if Staff and Public Counsel do not propose any further changes, they will not oppose Union Electric's request that the new tariffs take effect on May 14; (2) if further changes are proposed and the parties are able to agree on such changes, Union Electric will file revised tariffs by May 14 and the parties will recommend that such tariffs take effect on May 14; and (3) if further changes are proposed and the parties are unable to agree, Union Electric will still request that the new tariffs take effect on May 14, and Staff and Public Counsel will take whatever positions they deem appropriate.

Please call me if you have any questions about this.

Yours very truly,

*Joseph H. Raybuck / per*

Joseph H. Raybuck  
Attorney

cc(w/encl.): Robert Hack  
John Coffman