

**FILED<sup>3</sup>**

**DEC 19 2002**

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

**Missouri Public  
Service Commission**

STERLING MOODY, STERLING'S MARKET )  
PLACE AND STERLING'S PLACE, I, )

Complainants, )

v. )

AMERENUE, UNION ELECTRIC CO. d/b/a )  
AMERENUE, and MIKE FOY, LEROY ETTLING, )  
and SHERRY MOSCHNER, as employees of )  
AmerenUE, )

Respondents. )

Case No. EC-2002-112

**RESPONDENTS' MOTION TO SUSPEND PROCEDURAL  
SCHEDULE AND REQUEST FOR EXPEDITED TREATMENT**

Comes now respondents, with the concurrence of complainants, and file their Motion to Suspend Procedural Schedule and Request for Expedited Treatment. In support of this motion, respondents state as follows:

1. A hearing on complainants' Complaint took place on July 8 and 9, 2002.
2. On December 2, 2002, the Commission entered its Order Directing Filing asking that the parties file a supplemental memorandum on the issue of penalties. Said supplemental memorandum is due to be filed on December 27, 2002.
3. In the last week, respondents and complainants have engaged in settlement discussions and a settlement has been reached in principle.
4. As a result, respondents, with complainants' concurrence, request that the Commission suspend the procedural schedule and postpone the requirement of filing a supplemental memorandum until the parties can finalize the settlement and execute the necessary paperwork.

5. Respondents request that the Commission expedite handling of this motion and grant the motion to suspend the procedural schedule by Monday, December 23, 2002. In accord with 4 C.S.R. 240-2.080(17), respondents believe that expedited action by the Commission will not result in any harm or prejudice to customers or to the public.

WHEREFORE, respondents respectfully request that the Commission suspend the procedural schedule in this case pending the conclusion of the settlement and the filing of a stipulation for dismissal.

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Attorneys for Respondents AmerenUE,  
Union Electric Co d/b/a AmerenUE,  
Mike Foy, Leroy Ettling and Sherry  
Moschner

**Certificate of Service**

The undersigned hereby certifies that a copy of Respondents' Motion to Suspend Procedural Schedule and Request for Expedited Treatment was sent via facsimile and first class mail, postage prepaid this 19th day of December 2001 to Office of Public Counsel, P.O. Box 7800, Jefferson City, Missouri 65102, Office of General Counsel, Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102 and Freeman Bosley, Jr., 1601 Olive Street, First Floor, St. Louis, Missouri 63103-2344, attorney for complainants.

Michael A. Vitale/sh