

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

In the Matter of a Working File to)	
Consider Changes to Chapter 13 Service)	Case No. AW-2011-0252
and Billing Practice Rules)	

**INFORMAL COMMENTS OF UNION ELECTRIC COMPANY d/b/a
AMEREN MISSOURI ON THE COMMISSION STAFF'S DRAFT REVISIONS
TO THE CHAPTER 13 SERVICE AND BILLING PRACTICE RULES**

COMES NOW Union Electric Company d/b/a Ameren Missouri (Ameren Missouri or Company), and in response to the February 10, 2011 Order of the Missouri Public Service Commission (Commission) in this matter, the Company files its *Comments on the Commission Staff's Draft Revisions to the Chapter 13 Service and Billing Practice Rules*, proposed to be codified at 4 CSR 240-13.

Background and Introduction to Ameren Missouri Comments

1. Over the past several years, Ameren Missouri has participated, with numerous other stakeholders, in the Staff-led workshops directed at revising Chapter 13. Ameren Missouri commends Staff's efforts and in particular the efforts and leadership of Gay Fred, in facilitating the workshops and honing the many draft provisions proposed by the stakeholders.

2. Ameren Missouri's perception is that work among Staff and stakeholders on Chapter 13 has focused, generally speaking, on: harmonizing directly conflicting provisions; reducing ambiguity found in certain terms and provisions; and quantifying to a greater extent the respective stakeholders' obligations in respect to service, billing practices and dispute resolution.

3. In general, Ameren Missouri supports Staff's proposed draft, and believes it balances the interests of all the stakeholders. The Company notes that there are many provisions in the proposed draft with which it is in complete agreement, but for sake of brevity are not discussed here. The Company proposes the following additional changes to certain provisions of the draft, to advance the goals identified above.

Ameren Missouri Proposed Additional Changes to Staff's Draft Chapter 13

4. 4 CSR 240-13.020(2)(A)⁴ resolves ambiguity about whether a utility can render a bill based on estimated usage when the utility is unable to obtain an accurate or correct meter reading due to mechanical or equipment failure. Ameren Missouri supports this clarification. At the later workshops, it was suggested that the amount of time for which a bill based on estimated usage because of mechanical or equipment failure be rendered be limited to the lesser of three consecutive billing periods or one year. In the event this suggestion is revived, the Company states that it does not have an objection to such proposed limitation.

5. In subsection 13.020(2)(C)2, the word "saturated" should read "situated."

6. In subsection 13.020(12), the word "effort" should read "effect."

7. For clarity, the Company suggests that subsection 13.030(2)(B) be reworded to read, "The customer has interfered with, diverted, or in an unauthorized manner, used utility service delivered to the customer's premises; or".

8. In section 13.030, the Company suggests adding (as subsection (4)) as an additional circumstance under which a utility may assess a deposit or other guarantee as a condition of service, "the applicant has, within the last seven (7) years, filed a petition seeking relief under the United States Bankruptcy Code."

¹ All section and subsection references hereinafter are to 4 CSR 240-13.

9. The Company suggests that subsection 13.035(1)(A) be reworded to read, “Failure to pay a delinquent utility charge for services provided by that utility or its regulated affiliate, unless at the time of the request for service the delinquent utility charge was in dispute and the subject of a pending informal or formal complaint before the commission.”

10. For consistency, the Company recommends changing the reference in subsection 13.035(1)(F) from “customer” to “applicant.”

11. The Company suggests rewording subsection 13.045(6) to read, “If the parties are unable to mutually determine the amount not in dispute, then the utility may opt to treat as the amount not in dispute, and the customer shall pay to the utility under the preceding subsection as the amount not in dispute, the lesser of the charge for usage during a like period under similar conditions or fifty percent (50%) of the charge in dispute.”

12. The Company suggests rewording subsection 13.045(10) to read, “A utility is not required to comply with these rules prior to the discontinuance of service where a dispute registered with the utility involves the same customer, the same facts, and the same question regarding the validity of a charge as those involved in a prior informal or formal complaint filed by the customer and resolved in favor of the utility.”

13. The Company suggests rewording subsection 13.050(2)(D) to read, “The failure to pay the bill of another customer, unless the customer whose service is sought to be discontinued received substantial benefit and use of the service billed to the other customer.”

Conclusion

14. Ameren Missouri believes revisions to Chapter 13 are necessary in order to advance the interests of all stakeholders in clarifying and updating the rules regarding service and billing practices. The Company appreciates the opportunity to provide informal input at this stage. The Company urges the Commission to proceed with a rulemaking, and looks forward to participating in the related proceedings.

SMITH LEWIS, LLP

/s/ Sarah E. Giboney

Sarah E. Giboney, #50299
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918
(573) 443-3141
(573) 442-6686 (Facsimile)
giboney@smithlewis.com

By: /s/ Wendy K. Tatro

Wendy K. Tatro, # 60261
Associate General Counsel
Ameren Services Company
P.O. Box 66149
St. Louis, MO 63166-6149
(314) 554-3484 (phone)
(314) 554-4014 (fax)
AmerenMOService@ameren.com

**Attorneys for Union Electric
Company d/b/a Ameren Missouri**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following parties via electronic mail (e-mail) or via regular mail on this 1st day of March, 2011.

Kevin Thompson
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Kevin.Thompson@psc.mo.gov
gencounsel@psc.mo.gov

Lewis Mills
Office Of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov
Lewis.mills@ded.mo.gov

/s/ Sarah E. Giboney

Sarah E. Giboney