



Missouri Public Service Commission

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July 14, 1999

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P. O. Box 360
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FILED

JUL 14 1999

Missouri Public
Service Commission

RE: EM-96-149

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **STAFF RESPONSE TO UNION ELECTRIC COMPANY'S REQUEST FOR AMENDMENT OF BRIEFING SCHEDULE.**

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,

Steven Dottheim
Chief Deputy General Counsel
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SD/jb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

JUL 14 1999

Missouri Public
Service Commission

Case No. EM-96-149

In the Matter of the Application of Union Electric)
Company for an Order Authorizing: (1) Certain Merger)
Transactions Involving Union Electric Company; (2) the)
Transfer of Certain Assets, Real Estate, Leased Property,)
Easements and Contractual Agreements to Central Illinois)
Public Service Company; and (3) In Connection)
Therewith, Certain Other Related Transactions)

**STAFF RESPONSE TO UNION ELECTRIC COMPANY'S
REQUEST FOR AMENDMENT OF BRIEFING SCHEDULE**

Comes now the Staff of the Missouri Public Service Commission (Staff) in response to the request of Union Electric Company (UE) for amendment of the briefing schedule from July 23, 1999 to August 9, 1999 for initial briefs and from August 24, 1999 to August 31, 1999 for reply briefs. In support of UE's request, the Staff states as follows:

1. On July 6, 1999, UE filed with the Commission its unopposed request for amendment of the briefing schedule. Said pleading accurately states that UE spoke with counsel for the Staff and the Staff indicated no opposition to UE's request for a change in the briefing schedule.

2. The Staff is concerned that this case be timely processed so that whatever amount of credits and rate reduction UE's ratepayers are appropriately due be received by them as soon as possible. The Staff took the position of no opposition to UE's request for amendment of the briefing schedule out of (1) concern that given the serious nature of various of UE's allegations, UE be accorded, within reason, what it believes is an adequate amount of time to brief the issues; (2) courtesy, in that counsel for the Staff before the Commission and counsel for the Commission in judicial review proceedings on occasion seek the same courtesy in requesting the amendment

of a briefing schedule; and (3) thinking that additional time would permit counsel for the Staff to submit a better brief, given said counsel's own schedule.

3. Although counsel for the Staff has not based his schedule on the presumption that UE's request for an amendment of the briefing schedule would be granted, the demands of other Commission cases in the weeks following the close of the evidentiary proceedings in this case, and Staff counsel's schedule for the foreseeable future, now require Staff counsel to join in UE's request for an amendment of the briefing schedule. These other cases occupying Staff counsel's attention have included the Western Resources, Inc. – Kansas City Power & Light Company merger, the affiliated transactions rulemaking cases, the GST Steel Company complaint case respecting Kansas City Power & Light Company, other Commission cases and various Federal Energy Regulatory Commission dockets.

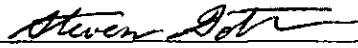
4. Although UE has requested a two-week extension for the initial briefs from July 23, 1999 to August 9, 1999, UE has limited its request for an extension for the reply briefs to one-week from August 24, 1999 to August 31, 1999. Counsel for the Staff notes that the total briefing schedule would be extended one week rather than two weeks, but counsel for the Staff readily acknowledges that the Commissioners' and Regulatory Law Judge's work relating to the parties' briefs does not await the filing of the parties' reply briefs, and even a one-week extension of the filing of the reply briefs is an inconvenience.

5. Counsel for the Staff does not seek to unduly delay the Commissioners, the Regulatory Law Judge or the instant proceedings respecting the third year sharing credits and the rate reduction respecting the UE experimental alternative regulation plans.

Wherefore, for the foregoing reasons the Staff joins in Union Electric Company's Unopposed Request For Amendment Of The Briefing Schedule to move the date for the initial

briefs to August 9, 1999 and the date for the reply briefs to August 31, 1999.

Respectfully submitted,
DANA K. JOYCE
General Counsel

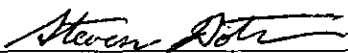


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Certificate of Service

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 14th day of July, 1999.



**SERVICE LIST FOR
CASE NOS. EM-96-149
Revised: July 14, 1999**

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