

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

Spigel Properties,)	
)	
Complainant,)	
)	
v.)	Case No. EC-2005-0110
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
)	
Respondent.)	

AMERENUE’S RESPONSE TO STAFF REPORT

COMES NOW Union Electric Company d/b/a AmerenUE (“AmerenUE”), and for its Response to the Missouri Public Service Commission Staff (“Staff”) Report filed in this proceeding, states as follows:

1. On October 19, 2004, Spigel Properties (“Spigel” or “Complainant”) filed its Complaint with the Commission alleging that AmerenUE had notified Spigel in a letter dated October 5, 2004 that it was being charged \$240,653.02 for alleged under charging on its electric bill for the period from June 18, 2001 to June 18, 2004. The cause of the alleged under billing was AmerenUE’s improper wiring of an A Phase transformer. In its request for relief in the Complaint, Spigel requested an independent determination of the actual usage based on the alleged improper wiring, and a new determination of what if any additional charges are due.
2. On December 8, 2004, AmerenUE filed its Answer to the Complaint. In its Answer, in addition to responding to the specific allegations in the Complaint, AmerenUE agreed that it would be appropriate for the Commission to require its Staff to conduct an independent investigation of the Complaint, and to determine what it believes the amount of Complainant’s bill should be.


3. On December 9, 2004, the Commission issued an order directing its Staff to investigate the Complaint and to file a Report of its findings with the Commission no later than February 11, 2005. On February 10, 2005, the Staff filed its Report in compliance with the Commission's order. The Staff's Report discussed the background of this case, explained which of AmerenUE's tariff provisions the Staff believes should apply in this case, related the steps that the Staff had taken in conducting its investigation (including a site visit) and concluded that, should the Commission believe that AmerenUE is due arrears from the Complainant, the balance owed is \$182,588.67. This balance does not include any late fees, facilities charges or other adjustments.

4. On February 16, 2005, the Commission issued its Order Directing Filing and Setting Prehearing Conference, which required both Spigel and AmerenUE to respond to the Staff's Report no later than March 4, 2005. In addition, the Commission scheduled a prehearing conference for this case on March 9, 2005.

5. AmerenUE has reviewed the Staff's Report and it is willing to accept the Staff's calculation of the undercharge for the period from June, 2001 to June, 2004 of \$182,588.67. AmerenUE notes that the \$240,653.02 bill referenced in its letter to Spigel of October 5, 2004 included charges in addition to those necessary to correct for the under billing, which are not in dispute.

WHEREFORE, AmerenUE respectfully requests that the Commission issue its order requiring the Complainant to pay the amount of the undercharge calculated by the Staff. In the alternative, AmerenUE requests that the Commission establish a procedural schedule for this Complaint to be heard.

Respectfully submitted,

By: 

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Dated: March 4, 2005

CERTIFICATE OF SERVICE


The undersigned certifies that true and correct copies of the foregoing have been e-mailed or mailed, via first-class United States Mail, postage pre-paid, to the service list of record this 4th day of March, 2005.

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