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IN ASSOCIATION WITH BRYAN CAVE,
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LONDON, ENGLAND

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October 1, 2001

By Hand Delivery

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, MO 65101

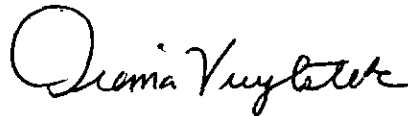
Re: Case No. EO-2001-684

Dear Judge Roberts:

Enclosed for filing in the above-referenced case are an original and fourteen (14) copies each of the *Missouri Industrial Energy Consumers' Motion to File Statement of Position Out of Time and Statement of Position* in the above-referenced case.

Thank you for your assistance in bringing this filing to the attention of the Commission

Very truly yours,



Diana M. Vuylsteke

DMV:dv
Enclosures
cc: All parties

FILED³
OCT - 1 2001

Missouri Public
Service Commission

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

FILED³
OCT - 1 2001

In the Matter of the Application of)
Union Electric Company (d/b/a)
AmerenUE) for an Order Authorizing)
it to Withdraw from the Midwest ISO)
to Participate in the Alliance RTO)

Case No. EO-2001-684

Missouri Public
Service Commission

MISSOURI INDUSTRIAL ENERGY CONSUMERS' STATEMENT OF POSITION

Comes now Adam's Mark Hotel, Alcoa Foil Products, Anheuser-Busch Companies, Inc., The Boeing Company, Ford Motor Company, General Motors Corporation, Holnam, Hussmann Refrigeration, ISP Minerals, Mallinckrodt, Inc., MEMC Electronic Materials, Monsanto Company, Precoat Metals, Procter & Gamble Manufacturing, Ralston Purina and Solutia, hereafter referred to as the Missouri Industrial Energy Consumers ("MIEC"), and provides the following *Statement of Position* on certain of the issues identified in the *List of Issues* filed by the parties on September 28th, 2001. The MIEC takes no position on the other issues identified in the *List of Issues* at this time, but reserves the right to take a position on such issues.

1. Should UE's application for permission to withdraw from the Midwest ISO (MISO) to join the Alliance RTO (ARTO) be approved?

No, unless certain conditions are met as discussed below and in more detail in the Rebuttal Testimony of James Dauphinais filed in this case on September 12.

2. If the Commission decides to approve the Company's request to withdraw from the MISO and join the ARTO, which (if any) conditions should be required?

It will be in the public interest for UE to join the ARTO when the following conditions are met: (1) the FERC has declared the ARTO as meeting all of FERC's requirements applicable on the startup date of the ARTO; (2) UE agrees to abide by the terms and conditions of the Commission-approved Stipulation and Agreement in Case No. EO-98-413 as if the ARTO was

the MISO; (3) UE agrees to immediately withdraw from the ARTO and join the MISO if FERC does not declare the ARTO as meeting all of the startup requirements of Order No. 2000 by December 31, 2002; (4) UE is not permitted to recover any portion of the \$12.5 million payment it made to the MISO unless it demonstrates comparable savings for its Missouri retail customers attributable to its withdrawal from the MISO and entrance into the ARTO; (5) the Commission issues an order requiring that the following issue be addressed in Case No. EC-2002-1: whether UE has any excess transmission revenues that should be shared with retail customers in Missouri.

3. What is the appropriate standard for the Commission to use in deciding this case?

The Commission should determine whether UE's proposal is in the public interest. To be in the public interest, the proposal should provide a net benefit to ratepayers.

4. Independent of the Stipulation and Agreement in Case No. EO-98-413, is the Commission's authorization necessary for UE to withdraw from the MISO and join the Alliance?

Yes, pursuant to 393.190 RSMO.

5. Has the Commission conceded that UE's withdrawal from the MISO is in the public interest by failing to object to such a finding already made by the FERC?

No.

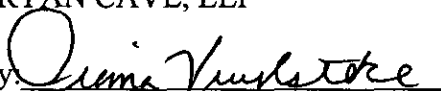
6. Did UE violate the Stipulation and Agreement in Case No. EO-98-413 by failing to file with the Commission a notice of withdrawal at the same time the notice was filed at the FERC on January 16, 2001?

Yes.

Respectfully submitted,

BRYAN CAVE, LLP

By



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed to all counsel of record as shown on the attached service list this 1st day of October, 2001.

