

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

In the Matter of Union Electric Company	)	
d/b/a AmerenUE for Authority to File	)	
Tariffs Increasing Rates for Electric	)	<u>Case No. ER-2010-0036</u>
Service Provided to Customers in the	)	
Company's Missouri Service Area.	)	

**PUBLIC COUNSEL'S MOTION TO ALLOW WITNESS TO APPEAR BY TELEPHONE
AND REQUEST FOR EXPEDITED TREATMENT**

COMES NOW the Office of the Public Counsel and for its Motion to Allow Witness to Appear by Telephone states as follows:

1. Public Counsel has engaged the service of Daniel Lawton as a Rate of Return witness in this matter. Mr. Lawton's offices and residence are in Texas, and having him physically present at the hearing would entail a considerable expense. Budget issues are currently very pressing for Public Counsel, and will be through at least the remainder of this fiscal year.

2. In order to conserve as much as possible of its scarce resources, Public Counsel requests leave to have Mr. Lawton be examined and take questions from the bench by telephone. Such a procedure would save Public Counsel an appreciable sum, and still allow parties and the Commission the opportunity to fully inquire of Mr. Lawton.

3. Because Rate of Return witnesses are expected to testify on March 18-19, Public Counsel requests expedited treatment, with an order of the Commission issued as soon as possible and no later than March 12. Public Counsel realizes that this request places the Commission in an awkward position, and states that it would not put the Commission in such a position if circumstances were not so dire. An expedited ruling on this request will allow Public

Counsel, Mr. Lawton, and the other parties adequate time to prepare (and adjust, if necessary) depending on the ruling. Public Counsel's budget picture is evolving, and this motion was filed as soon as possible after the severity of the problems became known.

WHEREFORE, Public Counsel respectfully requests that the Commission expeditiously issue an order granting leave for Public Counsel witness Lawton to appear by telephone.

Respectfully submitted,

OFFICE OF THE Public Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been emailed to parties of record this 10th day of March 2010.

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