

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Edward and Patricia Nelson,)
)
)
 Complainants,)
)
)
v.) Case No. EC-2005-0352
)
)
Ameren Union Electric Company,)
)
)
 Respondent.)

ORDER DIRECTING FILING

Issue Date: June 22, 2005

Effective Date: June 22, 2005

On April 5, 2005, Edward and Patricia Nelson filed a complaint with the Missouri Public Service Commission against Union Electric Company d/b/a AmerenUE. Complainants stated that there is an electric pole on their property that needs to be moved. The issue is who should incur the cost if the pole is moved.

On June 16, 2005, the Staff of the Commission filed a report. Staff informs the Commission that Ameren's tariff states as follows:

Company may, at its sole discretion, upon customer's request, relocate any distribution facilities providing service to customer and/or other parties to a right-of-way acceptable to Company, on or off customer's premises, following the payment by customer of the Company's total estimated cost of said relocation.

Staff further states that the scope of the work and the estimated cost of moving the pole are reasonable.

Ameren's tariff is regulations, charges and rates approved by the Commission. From Staff's report it appears that Ameren is operating under its tariff by requiring Complainants to pay the expense of relocating the electric pole. If Ameren has not violated any state statute, Commission rule or the company's tariff, then the Commission cannot grant any relief. The Commission will therefore require Complainants to file a pleading or a letter informing the Commission of why this case should not be dismissed.

IT IS THEREFORE ORDERED:

1. That Edward and Patricia Nelson shall file a pleading or letter stating why this case should not be dismissed.
2. That Edward and Patricia Nelson shall file the pleading or letter described in ordered paragraph 1 no later than July 8, 2005.
3. That this order shall become effective on June 22, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of June, 2005.