

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 27th day of  
February, 2007.

Richard D. Smith,	)
	)
Complainant,	)
	)
v.	)
	)
Union Electric Company d/b/a	)
AmerenUE,	)
	)
Respondent.	)

**Case No. EC-2007-0106**

**ORDER ADOPTING PARTIES' UNANIMOUS RESOLUTION TO  
COMPLAINT**

Issue Date: February 27, 2007

Effective Date: March 9, 2007

On September 19, 2006, Richard D. Smith filed a complaint with the Commission against Union Electric Company d/b/a AmerenUE ("AmerenUE").<sup>1</sup> Notice of the complaint was issued to AmerenUE on September 20, 2006, and AmerenUE filed its answer to the complaint on October 20, 2006. A prehearing conference was held on December 6, 2006 and a technical conference was held on February 1, 2007.

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<sup>1</sup> Although Mr. Smith's action was filed as a complaint, his requested relief includes a request for a change of service provider from AmerenUE to Black River Electric Cooperative ("Black River"). Because Black River has an interest in this matter that could potentially be affected by the Commission's decision, it was added as a party to this action.

On February 14, 2007, the Commission's staff filed a "Joint Report of the Parties After Technical Conference." The parties have jointly agreed that AmerenUE would commit to certain milestones to improve service to Mr. Smith. Those milestones include completion of a substation and reconductoring of certain lines. The time line for these milestones is as follows:

- June 1, 2007 – New 161kv/25kv Belgrade substation completed;
- September 1, 2007 – Existing single phase line from Younkers Road to John Smith Road rebuilt;
- September 1, 2007 – Installation of fuses at Mr. Smith's property or near the end of the line serving Mr. Smith, if determined beneficial;
- December 1, 2007 – Two miles of existing 25kv circuit north of the new Belgrade substation and four miles of existing 25kv circuit south of the new Belgrade substation reconducted with 556 all aluminum conductor; and,
- December 1, 2008 – Report on outages at Mr. Smith's residence for the previous 12 months.

The Parties have further agreed that within five days of each date listed above, AmerenUE will file with the Commission a report stating whether or not it has met the projected completion date for that milestone and, if not, when AmerenUE expects that milestone to be completed. For any missed completion dates, AmerenUE will file a supplemental report within five days of the actual completion date of that milestone.

The Parties anticipate that these scheduled improvements will eliminate the basis for Mr. Smith's complaint and planned to request closing this case following AmerenUE's December 2008 report. However, it is the policy of this Commission not to keep complaint cases open indefinitely in this fashion.

Because the Parties have unanimously made this request and believe that it is the best procedure to follow towards resolving this complaint, and because the parties have

planned to close this action at the completion of the scheduled milestones list above, the Commission shall consider this agreement to be the resolution of Mr. Smith's complaint and will close this case. The Commission emphasizes, however, that should one of the Parties wish to revive the complaint and further proceed, that party need only to file a pleading with the Commission explaining the reasons for the pursuing the action. That pleading, if filed, should also request the scheduling of a prehearing conference.

**IT IS ORDERED THAT:**

1. The Joint Report of the Parties, filed on February 14, 2007, is hereby accepted as a unanimous resolution to the complaint filed by Richard D. Smith.
2. The Parties shall comply with the terms of their agreement.
3. Richard D. Smith's complaint action against Union Electric Company d/b/a AmerenUE, filed on September 19, 2006, shall be closed.
4. Any Party may reopen this complaint by the following the procedure outlined in the body of this order.
5. This order shall become effective on March 9, 2007.
6. The case shall be closed on March 10, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur

Stearley, Regulatory Law Judge