

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

In The Matter of Union Electric Company	)	
d/b/a Ameren Missouri's Filing to Implement	)	<b><u>Case No. EO-2012-0142</u></b>
Regulatory Changes in Furtherance of Energy	)	
Efficiency as allowed by MEEIA	)	

**PUBLIC COUNSEL’S RESPONSE IN SUPPORT OF STAFF’S MOTION FOR  
VARIANCE DETERMINATIONS AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW the Office of the Public Counsel for its response in support of Staff’s Motion for Variance Determinations and Motion for Expedited Treatment filed February 17, 2012, by the Staff of the Commission states as follows:

1. On January 20, 2012, Union Electric Company d/b/a Ameren Missouri filed an application for approval of energy efficiency programs pursuant to the Missouri Energy Efficiency Investment Act (MEEIA) and the Commission’s rules promulgated to implement MEEIA. Ameren Missouri also seeks approval of program cost recovery, recovery of lost revenues, and the payment of incentives.

2. On February 17, Staff filed its Motion for Variance Determinations and Motion for Expedited Treatment. On February 21, the Commission issued its Order Directing Filing which set February 24 as the deadline for responses to Staff’s motion. Public Counsel files this response pursuant to that order.

3. Public Counsel supports Staff’s request for a Commission order requiring Ameren Missouri to support its variance requests (both explicit and implicit requests). Public Counsel concurs in Staff’s conclusion that it would be hugely inefficient (if not impossible) to analyze the filing without knowing what variances, if any, will ultimately be granted. Public Counsel supports Staff’s request that the Commission rule on Staff’s motion in an expedited manner. Public Counsel also supports Staff’s request that the Commission clarify that the 120 day time limit in 4 CSR 240-

20.094(3) does not begin until after a Commission decision on the variances, or that the Commission toll the time limits until after the Commission issues its decision on the variances.

WHEREFORE, Public Counsel respectfully requests that the Commission expeditiously grant Staff's Motion for Variance Determinations and Motion for Expedited Treatment filed February 17, 2012.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Lewis R. Mills, Jr.**

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been emailed to parties of record this 24th day of February 2012.

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