



Diana M. Vuylsteke
Voice: 259-2543
dmvuylsteke@bryancave.com

October 28th, 2004

BY HAND DELIVERY

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

Re: Case No. EO-2004-0108

Dear Mr. Roberts:

Attached for filing are one (1) original and eight (8) copies of the *Motion of the Missouri Industrial Energy Consumers for Acceptance of October 25 Pleading or to File Corrected Pleading Adding Signature* and attached *Response of the Missouri Industrial Energy Consumers to AmerenUE's Application for Rehearing* in the above-referenced case.

Thank you for your assistance in bringing this filing to the attention of the Commission, and please call me if you have any questions.

Very truly yours,

Diana M. Vuylsteke
DMV:rms

cc: All parties

FILED

OCT 28 2004

Missouri Public
Service Commission

Bryan Cave LLP

One Metropolitan Square
211 North Broadway
Suite 3600
St. Louis, MO 63102-2750
Tel (314) 259-2000
Fax (314) 259-2020
www.bryancave.com

Chicago
Hong Kong
Irvine
Jefferson City
Kansas City
Kuwait
Los Angeles
New York
Phoenix
Riyadh
Shanghai
St. Louis
United Arab Emirates (Dubai)
Washington, DC

And Bryan Cave,
A Multinational Partnership,
London

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

FILED

OCT 28 2004

Missouri Public
Service Commission

In the Matter of the Application of Union Electric)
Company, Doing Business as AmerenUE, for an)
Order Authorizing the Sale, Transfer and Assign-)
ment of Certain Assets, Real Estate, Leased) Case No. EO-2004-0108
Property, Easements and Contractual Agreements)
to Central Illinois Public Service Company, Doing)
Business as AmerenCIPS, and, in Connection)
Therewith, Certain Other Related Transactions.)

**MOTION OF THE
MISSOURI INDUSTRIAL ENERGY CONSUMERS FOR
ACCEPTANCE OF OCTOBER 25 PLEADING OR
IN THE ALTERNATIVE
TO FILE CORRECTED PLEADING ADDING SIGNATURE**

Comes now Anheuser-Busch, Boeing, DaimlerChrysler, Ford, General Motors, Hussmann, J. W. Aluminum, Monsanto, Pfizer, Precoat, Procter & Gamble, Nestlé Purina and Solutia, hereafter referred to as the Missouri Industrial Energy Consumers or "MIEC", and requests that the Commission permit it to refile its October 25 *Response of the Missouri Industrial Energy Consumers to AmerenUE's Application for Rehearing* ("Response") to add counsel's signature. In support of its Motion, the MIEC states as follows:

1. On October 25, the MIEC filed its Response electronically on the Commission's EFIS filing system. Shortly after the response was filed, counsel for the Commission Staff telephoned the undersigned counsel to inform her that the electronic signature had been omitted from the Response, although the electronic signature did appear on the transmittal letter for the Response. Counsel for the MIEC immediately attempted to resubmit the Response, corrected to include the electronic signature. However, the EFIS system malfunctioned and counsel for MIEC was unable to file the corrected Response. Specifically, the EFIS Applenet server would not permit the pleading to be "uploaded" and

attached to the filing. Bryan Cave's technical support assistants Christine Arnold and Tom Parkin worked for approximately one hour between 10 p.m. and 11 p.m. to file the Response on EFIS and were unable to do so.


2. The Commission's Rules of Practice and Procedure at 4 C.S.R. 240-2.080 (5) provide that an unsigned pleading shall be rejected. The Commission's Rules also provide at 4 C.S.R. 240-2.015 that a rule in this chapter may be waived by the Commission for good cause.

3. The MIEC respectfully submits that good cause exists for the Commission to waive the signature requirement of 4 C.S.R. 240-2.080, or in the alternative, for the Commission to permit the MIEC's revised Response attached hereto, which is corrected to include counsel's signature. The MIEC submits that no party would be prejudiced if the Commission grants this motion.

WHEREFORE, the MIEC respectfully requests that the Commission accept its Response, or in the alternative, that the Commission accept its revised Response attached hereto, corrected to include counsel's signature.

Respectfully submitted,

BRYAN CAVE LLP

By: 
Diana M. Vuylsteke, #42419
211 N. Broadway, Suite 3600
St. Louis, Missouri 63102
Telephone (314) 259-2543
Facsimile (314) 259-2020
dmvuylsteke@bryancave.com

ATTORNEY FOR THE MISSOURI
INDUSTRIAL ENERGY CONSUMERS

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been sent to all parties by electronic service this 28th day of October 2004.

Diana Vuyksteke