

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 1st day of
July, 2009.

In Re: Union Electric Company's
2008 Utility Resource Filing Pursuant to
4 CSR 240- Chapter 22

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Case No. EO-2007-0409

ORDER MODIFYING ORDER CHANGING FILING DATE

Issue Date: July 1, 2009

Effective Date: July 10, 2009

On June 3, 2009, the Commission issued an order changing the filing date for AmerenUE's next Integrated Resource Plan (IRP) from June 1, 2010 to February 5, 2011. The third ordered paragraph in that order stated, "Union Electric Company, d/b/a AmerenUE, shall not make a decision sooner than July 4, 2012 to start construction of a new generating plant unless it receives prior approval from the Commission." On June 10, AmerenUE filed a motion asking the Commission to clarify that the order's restriction on construction of a generating plant without prior approval of the Commission would apply only to construction of a new "baseload" generating plant.

Commission rule 4 CSR 240-2.080(15) allows parties ten days in which to respond to any pleading filed with the Commission unless a different response time is ordered by the Commission. More than ten days have passed since AmerenUE filed its motion for clarification and no one has filed a response to that motion. Therefore, the Commission will take up the motion as unopposed.

AmerenUE is correct. The Commission intended the restriction on construction of a new generating plant to apply only to construction of a baseload unit. That more limited restriction is consistent with the commitment previously offered by AmerenUE. Therefore, the Commission will modify its previous order.

THE COMMISSION ORDERS THAT:

1. Ordered paragraph three of the Order Changing Filing Date for AmerenUE's Next Integrated Resource Plan is modified to read as follows: Union Electric Company, d/b/a AmerenUE, shall not make a decision sooner than July 4, 2012, to start construction of a new baseload generating plant unless it receives prior approval from the Commission.
2. This order shall become effective on July 10, 2009
3. This file shall be closed on July 11, 2009.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Jarrett, and Gunn, CC., concur;
Clayton, Chm., dissents.

Woodruff, Deputy Chief Regulatory Law Judge