

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 15<sup>th</sup> day of  
August, 2012.

In the Matter of the Application of Union Electric     )  
Company d/b/a Ameren Missouri for an Order            )  
Changing Testing Requirements for Two Phase,         )  
Three Wire, 120/208V Meters                             )

**File No. EE-2013-0009**

**ORDER GRANTING VARIANCE**

Issue Date: August 15, 2012

Effective Date: August 15, 2012

On July 3, 2012, Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") asked the Missouri Public Service Commission ("Commission") for a variance from Commission Rule 4 CSR 240-10.030(28)(C), relating to the time for testing electric service watt-hour meters. The Commission previously granted Ameren Missouri a variance from the requirement to periodically test every meter by giving approval to use certain standardized statistical sampling techniques with regard to the testing of single phase meters. Ameren Missouri now requests that the Commission extend that variance to include two phase, three wire, 120/208V meters ("network meters").

On July 5, 2012, the Commission issued an *Order Directing Filing of Staff Recommendation*, which required the Commission's Staff to provide a recommendation regarding Ameren Missouri's application. On August 6, 2012, Staff filed a recommendation advising the Commission to approve the application. No party requested a hearing.

The application is within the Commission's jurisdiction to decide.<sup>1</sup> Since no law requires a hearing, this is a non-contested case.<sup>2</sup> Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.<sup>3</sup> Consequently, the Commission bases its decision on the verified filings.

On September 11, 2001, the Commission granted approval for Ameren Missouri to begin using the more modern statistical sampling standards titled *American National Standard Institute Sampling Procedures and Tables for Inspection by Attributes and by Variables* ("ANSI Standards") for testing of single phase meters. By using a statistical sample of meters for testing rather than periodically testing each meter as required by Commission Rule 4 CSR 240-10.030(28)(C), Ameren Missouri saves a substantial amount of testing cost while improving the overall quality of the single phase meter system.

Ameren Missouri proposes to use the same sample testing procedure under the ANSI Standards for its network meters as was previously approved for single phase meters. Network meters are used primarily for apartment complexes and similar buildings in order to provide single phase service for residential customers. Ameren Missouri currently has approximately 32,000 network meters in service that would need to be tested in the 2013-2015 time period at an approximate cost of \$1,087,000, absent approval of the requested variance. If approved, the proposed sampling procedure would subject every network meter to possible sample testing every 10 years, which is more often than Commission Rule 4 CSR 240-10.030(28)(C) requires. By using the proposed sampling

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<sup>1</sup> Sections 386.250 and 393.140, RSMo 2000.

<sup>2</sup> Section 536.010(4) defines a "contested case" as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing."

<sup>3</sup> *Sapp v. City of St. Louis*, 320 S.W.3d 159, 163 (Mo. App. 2010).

procedure, Ameren Missouri would save approximately 88% of the overall testing cost while at the same time increasing the periodicity of testing. Ameren Missouri customers would still be able to request an individual test of the accuracy of their meter at no charge under Commission Rule 4 CSR 240-10.030(29), provided that the meter has not already been tested within the last 12 months.

Based on the Commission's independent and impartial review of the verified pleadings, the Commission finds that Ameren Missouri has shown good cause for the requested variance and will approve it.

**THE COMMISSION ORDERS THAT:**

1. Union Electric Company d/b/a Ameren Missouri is granted a variance from the requirements of Commission Rule 4 CSR 240-10.030(28)(C) to permit Ameren Missouri to use statistical sample testing of two phase, three wire, 120/208V meters as described in its *Application and Request for Variance* filed on July 3, 2012.
2. This order shall become effective on August 15, 2012.
3. This file shall be closed on August 16, 2012.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Gunn, Chm., Jarrett, Kenney,  
and Stoll, CC., concur.

Bushmann, Regulatory Law Judge