

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

In the Matter of the First Prudence Review of)
Costs Subject to the Commission-Approved Fuel)
Adjustment Clause of Union Electric Company) File No. EO-2010-0255
d/b/a AmerenUE.)

STATEMENT OF POSITIONS OF THE OFFICE OF THE PUBLIC COUNSEL

COMES NOW the Office of the Public Counsel and submits the following Statement of Positions. Public Counsel's positions are listed after each issue in italics.

1. Are the revenues derived from the power sales agreements between Ameren Missouri and counter-parties Wabash Valley Power Association, Inc. (Wabash) and American Electric Power Service Corporation as Agent for the AEP Operating Companies (AEP) excluded from the definition of "OSSR" found in the Original Tariff Sheets Nos 98.2 and 98.3 of Ameren Missouri's Fuel and Purchase Power Adjustment Clause, which took effect March 1, 2009?

The revenues derived from the power sales agreement between Ameren Missouri and counter-parties Wabash and AED are not excluded from the definition of OSSR found in the Original Tariffs Sheets Nos. 98.2 and 98.3 of Ameren Missouri's Fuel and Purchase Power Adjustment Clause.

2. Was it imprudent, improper and/or unlawful for Ameren Missouri to exclude the Company's power sale agreements with AEP and Wabash from off-system sales and not include the revenues collected under the Company's power sale agreements with AEP and Wabash in OSSR and therefore, not include those revenues in its calculation of the Fuel and Purchased Power Adjustment rates for the time period of March 1, 2009 through September 30, 2009?

It was imprudent, improper and unlawful for Ameren Missouri to exclude the revenues derived from the power sales agreements with AEP and Wabash from in the OSSR component of the Ameren Missouri's Fuel and Purchases Power Adjustment mechanism.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been emailed to parties of record this 7th day of January 2011.

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