

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

In the Matter of the Request of Union Electric)
Company d/b/a Ameren Missouri For an Order) Case No. EE-2018-0238
Granting a Variance from 4 CSR 240-13.020(7))
Regarding Payment Posting Requirements)

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE
OPPOSING UNION ELECTRIC COMPANY’S APPLICATION**

COMES NOW the Office of the Public Counsel and opposes Union Electric Company's request for a variance from Commission rule 4 CSR 240-13.020(7) because the rule does not require Union Electric Company to post mailed customer payments on the calendar day it receives them. Union Electric Company is requesting that the Commission to "allow[] [it] to post customer payments within 24 hours of receipt, rather than requiring [it] to post customer payments on the calendar date they are received." Rule CSR 240-13.020(7) provides:

(7) A monthly-billed customer shall have at least twenty-one (21) days and a quarterly-billed customer shall have at least sixteen (16) days from the rendition of the bill to pay the utility charges, unless a customer has selected a preferred payment date in accordance with a utility's preferred payment date plan. If the due date or delinquent date falls upon a Sunday, legal holiday, or any other day when the offices of the utility regularly used for the payment of customer bills are not open to the general public, the due date or delinquent date shall be extended through the next business day. The date of payment for remittance by mail is the date on which the utility receives the remittance. A utility shall not base an assessment of a deposit or delinquent charge, or a discontinuance of service, on a payment that was made to a payment agent on or before the due date or delinquent date.

As Union Electric Company stated in its response to Staff's recommendation in *Anthony R. Granillo, Complainant v. Union Electric Company d/b/a Ameren Missouri, Respondent*, Case No. EC-2018-0113, and reiterates in its application in this case, rule 4 CSR 240-13.020(7) is silent regarding posting. In fact, the whole of Chapter 13 is silent regarding posting, except with

regard to customer deposits¹ and notices.² What Union Electric Company is seeking by its request is to change the date it is deemed to have received a mailed payment through an entity outside of Union Electric Company's control—the postal service, to one within its control—
itself. To do so is bad policy. While Union Electric Company does not need relief from Rule 4 CSR 240-13.020(7), it *may* need to take steps to document when it receives a mailed remittance.³

Respectfully,

/s/ Nathan Williams

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19th day of March 2018.

/s/ Nathan Williams

¹ 4 CSR 240-13.030(2)(C), 4 CSR 240-13.030(4)(E), 4 CSR 240-13.030(4)(F), 4 CSR 240-13.035(1)(B), and 4 CSR 240-13.050(1)(B).

² 4 CSR 240-13.040(4), and 4 CSR 240-13.050(7)

³ According to its explanation in its application, Union Electric Company posts mailed remittances either on the day it receives them, or the day following.