

**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)	Case No. EO-2010-0255
Fuel Adjustment Clause of Union Electric)	
Company d/b/a AmerenUE)	

MISSOURI INDUSTRIAL ENERGY CONSUMERS' REQUEST FOR HEARING

COMES NOW the Missouri Industrial Energy Consumers (MIEC), and pursuant to 4 CSR 240-2.090(7)(B), files its request for hearing. In support of its request, the MIEC states as follows:

1. On August 31, 2010, the Commission Staff filed its *Prudence Review of Costs Related to the Fuel Adjustment Clause for the Electric Operations of Union Electric Company d/b/a AmerenUE* (Staff's Report). Staff's Report recommends the Commission find Union Electric Company d/b/a AmerenUE was imprudent in failing to include all costs and revenues associated with certain sales of energy to American Electric Power Operating Companies and to Wabash Valley Power Association, Inc. during the review period to determine associated fuel adjustment clause (FAC) charges. Staff's Report recommends that the Commission order AmerenUE to refund \$24.1 million to customers through the FAC , plus interest accrued after May of 2010.

2. The MIEC agrees with Staff's Report. The MIEC believes the Commission should find AmerenUE misapplied its FAC tariffs in its Period One and Period Two FAC filings, was imprudent, and violated Section 386.266 RSMo, Commission Rule 4 CSR 240-20.090 and the Commission's Order in Case No. ER-2008-0318.

3. The MIEC believes the Staff's Report provides sufficient evidence for the Commission to order that AmerenUE provide \$24.1 million in customer refunds without the need for a hearing. However, if the Commission does not find the current record provides

sufficient evidence to order such refunds, the MIEC urges the Commission to adopt a procedural schedule and hold a hearing to develop a full record for decision in this case.

WHEREFORE, the MIEC requests that the Commission order AmerenUE refund \$24.1 million to its customers based on the evidence provided in Staff's Report, or in the alternative, establish a procedural schedule and hearing regarding Staff's Report, the prudence and legality of AmerenUE's FAC, and the appropriate remedy for AmerenUE's customers.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been transmitted by electronic mail this 10th day of September, 2010, to all parties on the Commission's service list in this case.

/s/Diana Vuylsteke