

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of an Application of Union Electric)
Company, d/b/a AmerenUE, for an Order)
Authorizing the Sale and Transfer of Certain)
Assets of AmerenUE to St. James Municipal)
Utilities and Rolla Municipal Utilities)

File No. EO-2010-0263

ORDER DENYING MOTION TO REQUEST DOCUMENT

Issue Date: July 15, 2010

Effective Date: July 15, 2010

On March 24,¹ Union Electric Company, d/b/a AmerenUE (“AmerenUE”), submitted an Application to the Commission. AmerenUE wants to transfer certain of its assets to St. James Municipal Utilities (“St. James”) and Rolla Municipal Utilities (“Rolla”), two wholesale customers of AmerenUE.

The Commission issued notice on April 5, and that notice allowed until April 26 for interested persons to request intervention. Donna D. Hawley (“Ms. Hawley”) filed such a request on April 26. Over the objection of St. James and Rolla, the Commission granted Ms. Hawley’s request on July 7.

On July 2, Ms. Hawley filed a Motion to Request Document.² She requests a copy of “the full engineering report prepared by R.W. Beck for the Rolla Municipal Utilities Power Delivery Master Plan dated October 2007.”³

On July 6, Rolla objected, and pointed out several Commission discovery rules with which Ms. Hawley failed to comply.

¹ All calendar references are to 2010 unless otherwise noted.

² That motion was filed before the Commission made Ms. Hawley a party. It also contains an incorrect service date of May 17.

³ Ms. Hawley does not state which party she wishes the Commission to order to provide the information. Presumably, she wishes Rolla to provide it.

Commission Rule 4 CSR 240-2.090 contains the Commission's discovery rules, a copy of which is provided to Ms. Hawley as a courtesy.⁴ Commission Rule 4 CSR 240-2.090(8) states that the Commission will not entertain any discovery motions until certain requirements have been satisfied. Ms. Hawley does not allege that she has met those requirements, which include a conferring or attempting to confer in good faith with opposing counsel prior to filing the motion, certifying compliance with the rule, and arranging for a telephone conference with the presiding officer and opposing counsel.

The Commission will deny Ms. Hawley's motion.

THE COMMISSION ORDERS THAT:

1. The Motion to Request Document filed by Donna D. Hawley is denied.
2. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 15th day of July, 2010.

⁴ Commission Rule 4 CSR 240-2.090(1) states that "(s)anctions for abuse of the discovery process . . . shall be the same as provided for in the rules of civil procedure."