

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric)
Company, d/b/a AmerenUE, for a Metering)
Variance to Serve Brentmoor at Oaktree.)

Case No. EE-2004-0267

CONCURRING OPINION OF COMMISSIONER JEFF DAVIS

I respectfully concur with the majority's decision in this case; however, I strongly disagree with the position taken by the Commission's Electric Meter Variance Committee in this case.

Union Electric, doing business as Ameren UE, filed two applications for a variance on December 22, 2003. The Commission's Electric Meter Variance Committee objected to the granting of the variances on January 30, 2004, and again objected to amended applications on March 30, 2004. Now, it is November 2, 2004, and the Electric Meter Variance Committee has finally agreed that it is in the consumer's best interest.

In the opinion of this commissioner, the overwhelming weight of the evidence demonstrates that granting a request for master-metering is in the best interest of the property owners in that it gives them incentive to conserve energy use because they will profit from energy conservation measures. More importantly, the senior residents who are seeking a simpler lifestyle only pay one bill a month and share the cost of one meter. Senior residents also benefit due to lower fixed costs in that the building owner

will not be recovering the cost of installing and maintaining multiple meters. This is a win-win situation for these residents.

The Electric Meter Variance Committee should be ashamed of the fact that it has taken almost eleven months to resolve this dispute with these operators and AmerenUE. They should even be more ashamed of not acting in the best interests of the senior citizens these retirement communities are seeking to serve. The conduct of this committee is an example of government bureaucracy at its worst. Hopefully, the members of the Electric Meter Variance Committee will take notice of their conduct and be more sensitive to the needs of the consumers we are paid to serve in the future.

Respectfully submitted,



Jeff Davis, Commissioner

Dated at Jefferson City, Missouri,
on this 2nd day of November, 2004.