

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

In Re: Union Electric Company's 2008 Utility)
Resource Filing Pursuant to 4 CSR 240 - Chapter 22.) Case No. EO-2007-0409

**STAFF RESPONSE PURSUANT TO 4 CSR 240-22.080(8) AND (9)
AND COMMISSION ORDER DATED AUGUST 14, 2008**

Comes now the Staff of the Missouri Public Service Commission (Staff), through the General Counsel's Office, and requests that the Missouri Public Service Commission (Commission) schedule an on-the-record session regarding the August 12, 2008 Joint Filing And Partial Stipulation And Agreement and the filings made this date in this proceeding. In support thereof, the Staff states as follows:

1. On February 5, 2008 Union Electric Company, d/b/a AmerenUE (AmerenUE) made its most recent Chapter 22, 4 CSR 240-22, Electric Resource Planning filing with the Commission. Pursuant to 4 CSR 240-22.080(5), the Staff reviewed AmerenUE's filing and the Staff filed a report on June 19, 2008. Pursuant to 4 CSR 240-22.080(6), the Office of the Public Counsel (OPC) reviewed AmerenUE's filing and OPC filed a report on June 19, 2008. Pursuant to 4 CSR 240-22.080(6), the Missouri Department of Natural Resources (DNR), Missouri Industrial Energy Consumers (MIEC), and the Sierra Club, Missouri Coalition for the Environment, Mid-Missouri Peaceworks and the Association of Community Organizations for Reform Now (collectively, Sierra Club) reviewed AmerenUE's filing and they filed separate reports on June 18, 2008. Missouri Energy Group (MEG) and Noranda Aluminum, Inc. (Noranda), which did not file reports, participated in meetings and telephone conferences, and Noranda made a substantive filing on August 20, 2008.

2. The Staff, AmerenUE, OPC, DNR, MIEC, MEG and Sierra Club are Signatories to a Joint Filing And Partial Stipulation And Agreement, which was filed with the Commission on August 12, 2008. This document states that the Signatories discussed the deficiencies alleged and a resolution on most issues but not all had been reached. Some of the deficiencies alleged by OPC, DNR and Sierra Club remain unresolved.

3. 4 CSR 240-22.080(8) and (9) and the Commission's August 14, 2008 Corrected Order Granting Extension Of Time To File Comments In Response provide for the filing of comments this date. 4 CSR 240-22.080(8) and (9) provide, in particular, as follows:

(8) If the staff, public counsel or any intervenor finds deficiencies, it shall work with the electric utility and the other parties to reach, within forty-five (45) days of the date that the report or comments were submitted, a joint agreement on a plan to remedy the identified deficiencies. If full agreement cannot be reached, this should be reported to the commission through a joint filing as soon as possible, but no later than forty-five (45) days after the date on which the report or comments were submitted. The joint filing should set out in a brief narrative description those areas on which agreement cannot be reached.

(9) If full agreement on remedying deficiencies is not reached, then within sixty (60) days from the date on which the staff, public counsel or any intervenor submitted a report or comments relating to the electric utility's compliance filing, the electric utility may file a response and the staff, public counsel and any intervenor may file comments in response to each other. The commission will issue an order which indicates on what items, if any, a hearing will be held and which establishes a procedural schedule.

4. Paragraph 50 of the Joint Filing And Partial Stipulation And Agreement that was filed with the Commission on August 12, 2008 provides for an on-the-record session with the Commissioners:

50. If the Commission has questions for the Signatories, the Signatories will make available, at any on-the-record session, their experts/witnesses and attorneys so long as all Parties have had adequate notice of that session. The Signatories agree to cooperate in presenting this Partial Stipulation and Agreement to the Commission for approval, and will take no action, direct or indirect, in opposition to the request for approval of this Partial Stipulation and Agreement.

5. The Staff recommends that the Commission schedule an on-the-record session where the Commissioners may ask any questions they may have regarding the Joint Filing And Partial Stipulation And Agreement, the filings being made this date in this case, and any other questions that they may have relevant to these matters. The Staff believes that proceeding in such a manner would be beneficial before the Commissioners decide whether to set a full evidentiary procedural schedule, i.e., the filing of testimony, the scheduling of formal evidentiary hearings, the setting of dates for briefs, etc. as is contemplated at least in some form by 4 CSR 240-22.080(9).

Wherefore the Staff requests that the Commission schedule an on-the-record session regarding the August 12, 2008 Joint Filing And Partial Stipulation And Agreement and the filings made this date in this proceeding.

Respectfully submitted,

/s/ Steven Dottheim

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 12th day of September 2008.

/s/ Steven Dottheim