

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 18th day of
December, 2013.

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Authority to)
Sell and Repurchase Coal and Lease Property)

File No. EO-2014-0149

**ORDER GRANTING APPLICATION AND ORDER
GRANTING MOTION FOR EXPEDITED TREATMENT**

Issue Date: December 18, 2013

Effective Date: December 28, 2013

On November 19, 2013¹, Union Electric Company d/b/a Ameren Missouri filed the above-referenced application and an accompanying motion for expedited treatment. The next day, the Commission gave notice of the application and motion. In that notice, the Commission set a deadline of December 11 for applications to intervene. The Commission received no intervention requests.

On December 11, Staff filed a recommendation favoring the application, with proposed conditions, as follows.

- a) No ratemaking determination is being made in this order relative to the sale of coal and the lease of a portion of the property of Ameren Missouri at the Labadie Energy Center over the term of the transaction.
- b) No ratemaking determination is being made in this order regarding the exclusion of the per-ton coal yard services fee in the Company's FAC.
- c) If Ameren Missouri decides to suspend, terminate or otherwise modify the terms of the transaction agreements, the Company shall notify the Commission and the parties of the changes by filing a notice with the Commission as soon as practical, once the decision has been made to take the action.

¹ Calendar references are to 2013 unless otherwise noted.

No hearing is necessary² to grant unopposed relief.³ Therefore, this action is not a contested case,⁴ and the Commission need not make separately stated findings of fact. The Commission finds and concludes as follows.

The application is within the Commission's jurisdiction under the following provision:

No . . . electrical corporation . . . shall hereafter . . . lease, transfer, . . . or otherwise dispose of . . . any part of its . . . works or system, necessary or useful in the performance of its duties to the public, nor by any means, direct or indirect, merge or consolidate such works or system . . . , or any part thereof, with any other corporation, person or public utility, without having first secured from the commission an order authorizing it so to do. [⁵]

The Commission's regulations also require the Commission's order authorizing the transfer of any asset.⁶ The Commission will deny the application only if approval would be detrimental to the public interest.⁷ The verified filings show that granting the application, with Staff's proposed conditions, will cause no detriment to the public interest.

The absence of opposition, the expected reduction of pollutants, and the tax credits that Ameren Missouri will receive support the expedited treatment that the applicant seeks. Those factors also constitute good cause for the Commission to make this order effective in less than 30 days.⁸ Therefore, the Commission will grant the application with the conditions proposed in Staff's recommendation, and will grant the motion for expedited treatment.

THE COMMISSION ORDERS THAT:

1. The Application and Motion for Expedited Treatment are granted.

² *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Comm'n*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

³ The Office of the Public Counsel is a party to this action under 4 CSR 240-2.010(10) but has elected to enter no appearance.

⁴ Section 536.010(4), RSMo Supp. 2012.

⁵ Section 393.190.1, RSMo 2000.

⁶ 4 CSR 240-3.110(1).

⁷ *State ex rel. City of St. Louis v. Public Serv. Comm'n of Missouri*, 73 S.W.2d 393, 400 (Mo. 1934); and Regulation 4 CSR 240-3.110(1)(D).

⁸ Section 386.490.2, RSMo Supp. 2012.

2. No ratemaking determination is being made in this order relative to the sale of coal and the lease of a portion of the property of Ameren Missouri at the Labadie Energy Center over the term of the transaction.

3. No ratemaking determination is being made in this order regarding the exclusion of the per-ton coal yard services fee in the Company's FAC.

4. If Ameren Missouri decides to suspend, terminate or otherwise modify the terms of the transaction agreements, the Company shall notify the Commission and the parties of the changes by filing a notice with the Commission as soon as practical, once the decision has been made to take the action.

5. This order shall become effective on December 28, 2013.

6. This file shall be closed on December 29, 2013.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
and Hall, CC., concur.

Pridgin, Deputy Chief Regulatory Law Judge