

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

In the Matter of Union Electric Company, d/b/a)
Ameren Missouri's Tariff to Increase Its Annual) File No. ER-2011-0028
Revenues for Electric Service)

In The Matter of Compliance with Section 393.275.1)
RSMo as Related to the Commission's Approval of a)
Rate Increase for Union Electric Company, d/b/a) File No. EO-2012-0051
Ameren Missouri)

**ORDER DIRECTING AMEREN MISSOURI TO FILE INFORMATION
TO COMPLY WITH SECTION 393.275.1, RSMO,
AND 4 CSR 240-10.060**

Issue Date: August 17, 2011

Effective Date: August 17, 2011

On July 13, 2011, the Commission issued a report and order in File No. ER-2011-0028 that allowed Ameren Missouri increase the company's annual revenues from its provision of electric service. On July 27, the Commission approved Ameren Missouri's tariff to implement the allowed rate increase and denied rehearing requests. Section 393.275.1 RSMo (2000) requires the Commission to notify the governing body of each city or county imposing a business license tax on gross receipts of any electric corporation of any approved rate increase for that electric corporation that exceeds seven percent. Further, the statute requires the Commission to:

include with such notice to any city or county the percentage increase approved for the utility, together with an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in that city or county.

Section 393.275.2 then requires the taxing authority to reduce its tax rate to reduce the amount of revenue collected under the tax.

On August 16, at the Commission's request, Staff filed a recommendation in which it informs the Commission that the recent rate case order increased Ameren Missouri's annual electric service revenues by 7.11 percent, thus triggering application of the statute. Staff advises the Commission to order Ameren Missouri to supply the information needed to allow the Commission to provide the notice required by the statute.

Commission Rule 4 CSR 240-10.060 required Ameren Missouri to file the information needed to comply with the requirements of Section 393.275.1 at the time it filed its compliance tariff following the issuance of the Commission's Report and Order in ER-2011-0028. It did not do so. However, on August 16, in response to Staff's recommendation, Ameren Missouri filed a list of cities and counties in which it does business and provided an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in each city or county in which it operates that imposes a gross receipts or similar tax upon its gross receipts.

The Commission appreciates Ameren Missouri's informational filing, but it does not fully comply with the requirements of the Commission's regulation. That regulation requires the utility to file the following information:

- (A) A list of all cities and counties within its certificate area which implies (sic, presumably it should be "imposes") a business license tax on the corporation's gross receipts, together with the name, mailing address and title (that is, collector, treasurer, clerk) of the official responsible for administration of the gross receipts tax or business license tax in each of the listed cities and counties. The corporation shall update this list throughout the period of time before the date the tariff takes effect;

- (B) A reasonable estimate of the resulting annual increase in the corporation's annual gross receipts in each affected city and county; and
- (C) An explanation of the methods used in developing those estimates.

The Commission will order Ameren Missouri to file the information required by the regulation.

The Commission has opened this new case to deal with the issues regarding compliance with Section 393.275 to avoid having to issue additional orders in ER-2011-0028, which is currently under appeal to the Missouri Court of Appeals. Therefore, any future filings regarding this issue shall be made in File No. EO-2012-0051.

THE COMMISSION ORDERS THAT:

1. Union Electric Company, d/b/a Ameren Missouri shall file the information required by Section 393.275.1, RSMo, and Commission Rule 4 CSR 240-10.060 no later than August 24, 2011.
2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



**Steven C. Reed
Secretary**

(S E A L)

Dated at Jefferson City, Missouri,
On this 17th day of August, 2011

Woodruff, Chief Regulatory Law Judge